

Calendar No. 976

101ST CONGRESS
2D SESSION**H. R. 4765**

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, OCTOBER 2), 1990

Received; read twice and placed on the calendar

AN ACT

To enable the people of Puerto Rico to exercise self-determination.

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 Self-Deter-
5 mination Act".

6 **SEC. 2. REFERENDUM ON STATUS OPTIONS.**

7 (a) There are hereby authorized to be appropriated
8 \$13,500,000 to the Executive Office of the President for
9 grants to the State Elections Commission of Puerto Rico for
10 a referendum which is to be held on September 16, 1991, or
11 on a later date in 1991 agreed to by a majority of the mem-

1 bers of the Dialogue Committee on the Status of Puerto Rico
2 (hereafter in this Act referred to as the "Dialogue Commit-
3 tee"), as established by executive order of the Governor of
4 Puerto Rico on June 29, 1989, on the following question:

5 Which political status do you favor for the Com-
6 monwealth of Puerto Rico on terms to be consented to
7 by the people of Puerto Rico and the Congress of the
8 United States?

9 independence;
10 statehood;
11 a new commonwealth relationship; or
12 none of the above statuses.

13 (b)(1) Of the amount authorized to be appropriated by
14 subsection (a), the State Elections Commission is authorized
15 to—

16 (A) expend \$7,500,000 for costs of conducting the
17 referendum, including \$1,500,000 to facilitate the par-
18 ticipation of Puerto Ricans not resident in Puerto Rico
19 in the referendum as authorized pursuant to section
20 3(e); and

21 (B) disburse \$6,000,000 to the Dialogue Commit-
22 tee to be expended for the purpose of informing the
23 people of Puerto Rico regarding the three status op-
24 tions, such amount to be equally divided among Puerto
25 Rico's principal parties.

1 (2) Funds appropriated under paragraph (1) shall be
2 made available for the necessary expenses, including the
3 travel and transportation of persons, services as authorized
4 by section 3109 of title 5, United States Code, communica-
5 tions, utilities, printing and reproduction, supplies and mate-
6 rials and other related services, and administrative costs.

7 (3) To be eligible to receive payments under paragraph
8 (1)(B), a recipient shall—

9 (A) agree not to incur expenses related to the ref-
10 erendum in excess of amounts established by the elec-
11 toral laws of Puerto Rico for expenditures by the par-
12 ties in general elections as of September 19, 1990;

13 (B) agree to keep complete records as to receipts
14 and expenditures related to informing the people of
15 Puerto Rico regarding the status question and furnish
16 to the State Elections Commission such information as
17 it may request; and

18 (C) agree to financial audits and examinations of
19 such funds by the Comptroller General of the United
20 States.

21 (4) Under such regulations as the Comptroller General
22 of the United States shall prescribe, the Comptroller General
23 shall audit and examine transactions made with funds made
24 available under this subsection.

1 (c) The referendum shall be conducted pursuant to the
2 laws of Puerto Rico.

3 (d) These Federal laws that apply to the election of the
4 Resident Commissioner of Puerto Rico shall, if appropriate,
5 also apply to the referendum. Any reference in such Federal
6 laws to elections shall be considered, where appropriate, to
7 be a reference to the referendum, and any reference in such
8 laws to candidates for office shall be considered, where ap-
9 propriate, to be a reference to the political status options
10 under the referendum.

11 **SEC. 3. NONRESIDENT PUERTO RICANS.**

12 (a) The Congress finds that—

13 (1) a substantial number of the Puerto Rican
14 people reside outside of Puerto Rico; and

15 (2) the Government of Puerto Rico has the au-
16 thority to enable some Puerto Ricans who are United
17 States citizens residing in places other than Puerto
18 Rico to vote in the referendum.

19 (b) The Congress hereby authorizes the Government of
20 Puerto Rico, subject to the plan referred to in subsection (c),
21 to enable Puerto Ricans not resident in Puerto Rico to regis-
22 ter and vote in the referendum without being present in
23 Puerto Rico. Such persons may include those born in Puerto
24 Rico or those who have at least one parent who was born in
25 Puerto Rico.

1 (c) The Dialogue Committee is authorized to submit to
2 the Legislative Assembly of Puerto Rico for its ratification a
3 plan agreed to by a majority of the members of such commit-
4 tee to accomplish the purposes authorized by subsection (b).
5 Once so ratified, such plan shall have the force of law.

6 (d) In the event that any provision of this Act is held
7 invalid, or the Dialogue Committee does not submit a plan,
8 or the Legislative Assembly of Puerto Rico fails to ratify
9 such plan not later than one hundred and twenty days before
10 the referendum, it is the intent of Congress that the remain-
11 ing provisions of this Act shall continue in full force and
12 effect.

13 **SEC. 4. DEVELOPMENT OF LEGISLATION.**

14 (a) If the referendum results in a majority for one of the
15 three status options, Members of the Committee on Energy
16 and Natural Resources of the United States Senate and the
17 Committee on Interior and Insular Affairs of the United
18 States House of Representatives, in full consultation with
19 representatives of each of Puerto Rico's principal parties, the
20 President of the United States, and other interested persons
21 as may be appropriate, shall draft legislation to implement
22 the selected status addressing the aspects of that status set
23 forth in the report which accompanies the bill, H.R. 4765 (H.
24 Rept. 101-790, Part 1). In drafting the legislation provided
25 for in this section, the governing principles of each status

1 option shall be treated equally, consistent with the constitu-
2 tional authority of the United States Congress.

3 (b) There are hereby authorized to be appropriated
4 such sums as may be necessary for the conduct of the
5 consultations.

6 **SEC. 5. CONSIDERATION OF LEGISLATION.**

7 (a) Not later than March 6, 1992, the Chairman of the
8 Committee on Energy and Natural Resources shall introduce
9 the legislation provided for in section 4(a) in the United
10 States Senate and the Chairman of the Committee on Interi-
11 or and Insular Affairs shall introduce such legislation in the
12 United States House of Representatives.

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

1 (c) At any time after the close of the fourteenth legisla-
2 tive day beginning after the last committee has reported or
3 been discharged from further consideration of such legisla-
4 tion, it shall be in order for any Member of the United States
5 House of Representatives or the United States Senate to
6 move to proceed to the immediate consideration of the legis-
7 lation (such motion not being debatable), and such motion is
8 hereby made of high privilege. An amendment to the motion
9 shall not be in order, and it shall not be in order to move to
10 reconsider the vote by which the motion was agreed to or
11 disagreed to.

12 (d) Enactment of this section constitutes a commitment
13 that the United States Congress will vote on legislation es-
14 tablishing appropriate mechanisms and procedures to imple-
15 ment the political status selected by the people of Puerto
16 Rico.

17 **SEC. 6. RATIFYING VOTE ON LEGISLATION.**

18 (a) If enacted, the legislation draft pursuant to section
19 4(a) as approved by the Congress shall be submitted to the
20 people of Puerto Rico of ratification according to the laws of
21 Puerto Rico not later than sixty days after enactment. The
22 legislation shall take effect in accordance with its terms upon
23 approval by the people of Puerto Rico in the ratification vote.

1 (b) There are hereby authorized to be appropriated such
2 sums as may be necessary for the conduct of the ratification
3 vote provided for by this section.

4 **SEC. 7. RECOMMENDATIONS, IF NECESSARY.**

5 If the referendum provided for by section 2 does not
6 result in a majority for one of the three status options or if
7 the legislation drafted pursuant to this Act does not come
8 into effect, Members of the Committee on Energy and Natu-
9 ral Resources of the United States Senate and the Committee
10 on Interior and Insular Affairs of the United States House of
11 Representatives, in full consultation with representatives of
12 each of the principal parties of Puerto Rico, the President of
13 the United States, and other interested persons as may be
14 appropriate, shall make such recommendations as may be ap-
15 propriate at that time to facilitate the exercise of self-deter-
16 mination by the people of Puerto Rico.

Passed the House of Representatives October 10,
1990.

Attest: DONNARD K. ANDERSON,
Clerk.

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