

102D CONGRESS  
1ST SESSION

# H. R. 316

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1991

Mr. DE LUGO (for himself, Mr. LAGOMARSINO, Mr. FUSTER, Mr. UDALL, Mr. MOAKLEY, Mr. SOLOMON, Mr. MILLER of California, Mr. LEHMAN of California, Mr. RICHARDSON, Mr. DARDEN, Mr. LEWIS of Georgia, Mr. FALCONER, and Mr. BLAZ) introduced the following bill; which was referred jointly to the Committees on Interior and Insular Affairs and Rules

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## A BILL

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

1 a referendum which is to be held on September 16, 1991, or  
2 on a later date in 1991 agreed to by a majority of the mem-  
3 bers of the Dialogue Committee on the Status of Puerto Rico  
4 (hereafter in this Act referred to as the “Dialogue Commit-  
5 tee”), as established by executive order of the Governor of  
6 Puerto Rico on June 29, 1989, on the following question:

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

11                   independence;

12                   statehood;

13                   a new commonwealth relationship; or

14                   none of the above statuses.

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

18                   (A) expend \$7,500,000 for costs of conducting the  
19 referendum, including \$1,500,000 to facilitate the par-  
20 ticipation of Puerto Ricans not resident in Puerto Rico  
21 in the referendum as authorized pursuant to section  
22 3(c); and

23                   (B) disburse \$6,000,000 to the Dialogue Commit-  
24 tee to be expended for the purpose of informing the  
25 people of Puerto Rico regarding the three status op-

1 tions, such amount to be equally divided among Puerto  
2 Rico's principal parties.

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

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

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

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

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

23 (4) Under such regulations as the Comptroller General  
24 of the United States shall prescribe, the Comptroller General

1 shall audit and examine transactions made with funds made  
2 available under this subsection.

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

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

13 **SEC. 3. NONRESIDENT PUERTO RICANS.**

14 (a) The Congress finds that—

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

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

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

1 Rico or those who have at least one parent who was born in  
2 Puerto Rico.

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

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

15 **SEC. 4. DEVELOPMENT OF LEGISLATION.**

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

1 (H. Rept. 101-790, Part 1). In drafting the legislation pro-  
2 vided for in this section, the governing principles of each  
3 status option shall be treated equally, consistent with the  
4 constitutional authority of the United States Congress.

5 (b) There are hereby authorized to be appropriated such  
6 sums as may be necessary for the conduct of the consulta-  
7 tions.

8 **SEC. 5. CONSIDERATION OF LEGISLATION.**

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

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

1 and it shall not be in order to move to reconsider the vote by  
2 which the motion was agreed to or disagreed to.

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

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

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

20 (a) If enacted, the legislation draft pursuant to section  
21 4(a) as approved by the Congress shall be submitted to the  
22 people of Puerto Rico of ratification according to the laws of  
23 Puerto Rico not later than sixty days after enactment. The  
24 legislation shall take effect in accordance with its terms upon  
25 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.

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