

103^D CONGRESS
2^D SESSION

H. R. 5005

To require periodic plebiscites in United States territories and to require congressional notification of executive branch actions impacting the status of United States territories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 19, 1994

Mr. TORRICELLI (for himself, Mr. ROMERO-BARCELÓ, Mr. GILMAN, Mr. WHEAT, Mr. GALLEGLY, Mr. ANDREWS of New Jersey, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. HASTINGS, and Mrs. MEEK) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require periodic plebiscites in United States territories and to require congressional notification of executive branch actions impacting the status of United States territories, and for other purposes.

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 “Territorial Consulta-
5 tion and Notification Act of 1994”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Article IV, Section 3, Clause 2 of the Con-
2 stitution, also known as the territorial clause, grants
3 Congress plenary authority to provide for the gov-
4 ernance of the United States territories, including
5 the determination of status.

6 (2) The President and all executive branch offi-
7 cials should closely consult with Congress on terri-
8 torial matters.

9 (3) Congress has the responsibility to promote
10 the progress of the people of the territories toward
11 self-government consistent with the principle of self-
12 determination as defined in the United Nations
13 Charter, and this requires that the Congress have
14 regular and reliable information with respect to the
15 views of the voters in the territories on political sta-
16 tus issues.

17 (4) The majority view of the voters in the terri-
18 tories can be acquired by Congress most effectively
19 and directly through periodic plebiscites which are
20 recognized by the people as the opportunity to freely
21 express their wishes.

22 (5) Under Federal statutes approved by Con-
23 gress, limited self-government has been authorized
24 for each of the United States territories, and all per-

1 sons born in the territories are native born citizens
2 of the United States pursuant to the law.

3 (6) The decade of the 1990s has been declared
4 by the United Nations as the “Decade to Eradicate
5 Colonialism”.

6 (7) In the November 4, 1993, plebiscite, a ma-
7 jority of Puerto Rican voters for the first time voted
8 against their current status as a United States terri-
9 tory and supported significant changes in the politi-
10 cal and legal relationship between the United States
11 and Puerto Rico.

12 **SEC. 3. REFERENDUMS ON TERRITORIAL STATUS.**

13 (a) IN GENERAL.—All territories of the United
14 States shall conduct referendums on the sentiments of
15 their citizens regarding territorial status at least every five
16 years.

17 (b) REPORT OF RESULTS TO CONGRESS.—Within 30
18 days after the date results of an election held under sub-
19 section (a) are certified, the Governor of the territory con-
20 cerned shall submit a report of such results to the Presi-
21 dent and to the Speaker of the House of Representatives
22 and the President of the Senate, who shall refer the report
23 to the appropriate committees.

24 (c) REPORT BY APPROPRIATE COMMITTEES OF CON-
25 GRESS.—Within 180 calendar days after the report de-

1 scribed in subsection (b) is referred, each committee to
2 whom the report is referred may submit a report to the
3 Speaker of the House of Representatives or the President
4 of the Senate, as the case may be, in which the results
5 of the election are evaluated and recommendations (if any)
6 are made for changes to the laws or policies of United
7 States are made.

8 (d) IMPLEMENTATION OF CHANGE IN STATUS.—
9 Within one year after a vote under subsection (a) in which
10 a change regarding the territorial status has been ap-
11 proved, the President shall develop and report to the com-
12 mittees of Congress specified in subsection (a) the plans
13 of the President for implementing the change in status.

14 **SEC. 4. REPORT ON IMPACT OF POLICY AND REGULATORY**
15 **MATTERS ON THE STATUS OF UNITED**
16 **STATES TERRITORIES.**

17 The President shall submit annually to the Commit-
18 tee on Energy and Natural Resources of the Senate and
19 the Committee on Natural Resources of the House of Rep-
20 resentatives a report on all policy and regulatory matters
21 impacting the status of United States territories.

22 **SEC. 5. NOTICE OF REGULATORY CHANGE AFFECTING THE**
23 **STATUS OF UNITED STATES TERRITORIES.**

24 No regulation that affects the status of United States
25 territories may take effect until after 90 days after such

1 regulation has been submitted to the Committee on En-
2 ergy and Natural Resources of the Senate and the Com-
3 mittee on Natural Resources of the House of Representa-
4 tives.

5 **SEC. 6. REPORT BY THE UNITED STATES REPRESENTATIVE**
6 **TO THE UNITED NATIONS ON MATTERS PER-**
7 **TAINING TO UNITED STATES TERRITORIES.**

8 Within 180 days after the date of enactment of this
9 Act, the United States Representative to the United Na-
10 tions shall submit a report to the Senate Committee on
11 Foreign Relations and the House Committee on Foreign
12 Affairs. The report shall include the following:

13 (1) A description of any issues formally consid-
14 ered by the United Nations during the past two
15 years relating to the status of United States terri-
16 tories.

17 (2) A description of any such issues that are ex-
18 pected to receive formal consideration in the United
19 Nations in the next year.

20 **SEC. 7. DEFINITION OF UNITED STATES TERRITORIES.**

21 For the purposes of this Act, the term “United States
22 territories” means the Commonwealth of Puerto Rico, the
23 Commonwealth of the Northern Mariana Islands, Amer-
24 ican Samoa, Guam, and the Virgin Islands.

○