

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2304

To recognize the right of the Commonwealth of Puerto Rico to call a constitutional convention through which the people of Puerto Rico would exercise their right to self-determination, and to establish a mechanism for congressional consideration of such decision.

---

## IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2006

Mr. BURR (for himself, Mr. KENNEDY, Mr. LOTT, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To recognize the right of the Commonwealth of Puerto Rico to call a constitutional convention through which the people of Puerto Rico would exercise their right to self-determination, and to establish a mechanism for congressional consideration of such decision.

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-De-  
5       termination Act of 2006”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) COMMONWEALTH.—The term “Common-  
2           wealth” means the Commonwealth of Puerto Rico.

3           (2) SELF-DETERMINATION OPTION.—The term  
4           “self-determination option” means an option agreed  
5           to by a constitutional convention in the Common-  
6           wealth for a new or modified Commonwealth status,  
7           statehood, or independence.

8           (3) SELF-DETERMINATION PROPOSAL.—The  
9           term “self-determination proposal” means a docu-  
10          ment submitted to Congress by a constitutional con-  
11          vention in the Commonwealth that proposes a self-  
12          determination option.

13 **SEC. 3. CONSTITUTIONAL CONVENTION.**

14          (a) AUTHORITY.—Congress reaffirms the inherent  
15          authority of the government of the Commonwealth to call,  
16          and hereby expressly authorizes the calling of, a constitu-  
17          tional convention through the election of delegates for the  
18          purpose of establishing a mechanism for self-determina-  
19          tion.

20          (b) PURPOSE OF CONSTITUTIONAL CONVENTION.—  
21          The purpose of a constitutional convention called under  
22          subsection (a) is to propose to Congress—

23                  (1) a new or amended compact of association to  
24                  replace or amend the compact established under the  
25                  Act entitled “An Act to provide for the organization

1 of a constitutional government by the people of  
 2 Puerto Rico”, approved July 3, 1950 (64 Stat. 319)  
 3 (commonly referred to as “Public Law 600”) and  
 4 the Commonwealth constitution;

5 (2) the admission of the Commonwealth as a  
 6 State in the United States; or

7 (3) the declaration of the Commonwealth as an  
 8 independent country.

9 **SEC. 4. SELF-DETERMINATION PROPOSAL.**

10 (a) SUBMISSION TO CONGRESS OF SELF-DETER-  
 11 MINATION PROPOSAL.—Upon the approval by a constitu-  
 12 tional convention in the Commonwealth of a self-deter-  
 13 mination option, the constitutional convention shall submit  
 14 a self-determination proposal to Congress for approval.

15 (b) DISPOSITION OF SELF-DETERMINATION PRO-  
 16 POSAL.—

17 (1) REFERENDUM.—If a self-determination pro-  
 18 posal is approved by Congress with or without modi-  
 19 fications, the proposal shall be submitted to the peo-  
 20 ple of the Commonwealth for approval or rejection  
 21 in a referendum.

22 (2) ENACTMENT OF PROPOSAL.—If the people  
 23 of the Commonwealth approve the self-determination  
 24 proposal in a referendum held pursuant to para-  
 25 graph (1), a joint resolution of Congress shall be en-

1       acted approving the terms of the proposal and in-  
2       cluding provisions necessary to implement the pro-  
3       posal.

4               (3) REJECTION OF PROPOSAL.—If a self-deter-  
5       mination proposal is not approved by Congress pur-  
6       suant to subsection (a) or is not approved by the  
7       people of the Commonwealth in a referendum held  
8       pursuant to paragraph (1), the Government of the  
9       Commonwealth should call for a new constitutional  
10      convention, including an election by the people of the  
11      Commonwealth of new delegates to the convention,  
12      for the purpose of formulating and submitting to  
13      Congress a new self-determination proposal.

14 **SEC. 5. CONVENTION IN CONTINUOUS SESSION.**

15       A constitutional convention held pursuant to this Act  
16      may remain in session until a self-determination proposal  
17      is approved in a referendum by the people of the Common-  
18      wealth and enacted by a joint resolution of Congress.

○