

110TH CONGRESS
1ST SESSION

S. 1936

To provide for a plebiscite on the future status of Puerto Rico.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2007

Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. AKAKA, Mr. BAYH, Mr. CARPER, Mr. CRAIG, Mr. INOUE, Mr. KERRY, Ms. LANDRIEU, Mr. MCCAIN, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. STEVENS, Mr. HAGEL, and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for a plebiscite on the future status 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 Democ-
5 racy Act of 2007”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) COMMISSION.—The term “Commission”
9 means the Puerto Rico State Elections Commission.

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

3 **SEC. 3. PLEBISCITE.**

4 (a) IN GENERAL.—Not later than September 30,
5 2009, the Commission shall conduct a plebiscite in the
6 Commonwealth, the ballot of which shall provide for voters
7 to choose 1 of the following options only:

8 (1) “The Commonwealth of Puerto Rico should
9 continue to have its present status and relationship
10 with the United States. If you agree, mark here
11 _____.”.

12 (2) “The Commonwealth of Puerto Rico should
13 seek independence from the United States. If you
14 agree, mark here _____.”.

15 (3) “The Commonwealth of Puerto Rico should
16 seek nationhood in free association with the United
17 States. If you agree, mark here _____.”.

18 (4) “The Commonwealth of Puerto Rico should
19 seek admission as a State of the United States. If
20 you agree, mark here _____.”.

21 (b) RULES AND REGULATIONS.—The Commission
22 shall issue any rules and regulations necessary to conduct
23 the plebiscite under subsection (a).

24 (c) CERTIFICATION OF RESULTS.—The Commission
25 shall certify the results of the plebiscite conducted under

1 subsection (a) to the President and each member of Con-
2 gress.

3 (d) **FEDERAL COURT JURISDICTION.**—The Federal
4 courts of the United States shall have jurisdiction over any
5 legal claim or controversy arising from the implementation
6 of this Act.

7 **SEC. 4. AVAILABILITY OF FUNDS FOR THE PLEBISCITE.**

8 (a) **AVAILABILITY OF AMOUNTS DERIVED FROM TAX**
9 **ON FOREIGN RUM.**—During the period beginning on Oc-
10 tober 1, 2007, and ending on the date on which the results
11 of the plebiscite have been certified under section 3(c), the
12 Secretary of the Treasury shall allocate to the Commis-
13 sion, from amounts that would otherwise be covered into
14 the treasury of the Commonwealth under section
15 7652(e)(1) of the Internal Revenue Code of 1986, not
16 more than \$5,000,000 to pay the costs incurred by the
17 Commission in conducting the plebiscite, as determined by
18 the President, in consultation with the Commission.

19 (b) **USE OF FUNDS FOR EDUCATIONAL AND OTHER**
20 **MATERIALS.**—In allocating amounts to the Commission
21 under subsection (a), the Secretary shall ensure that the
22 content of any Commission voter education materials to
23 be prepared by the Commission using those amounts are

- 1 not incompatible with the Constitution and the laws and
- 2 policies of the United States.

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