105TH CONGRESS
1ST SESSION

H. R. 856

To provide a process leading to full self-government for Puerto Rico.

IN THE HOUSE OF REPRESENTATIVES

February 27, 1997

Mr. Young of Alaska (for himself, Mr. Gingrich, Mr. Romero-Barceló, Mr. Gallegly, Mr. Burton of Indiana, Mr. Serrano, Mr. Kennedy of Rhode Island, Mr. Calvert, Mr. Gilman, Mr. Rahall, Mr. Tauzin, Mr. Green, Mr. McCollum, Mr. Deutsch, Mr. Pombo, Mr. Payne, Mr. Gilchrest, Mr. Jones, Mr. Stump, Mr. Sawyer, Mr. Fazio of California, Mr. Skeen, Mr. Dooley of California, Mr. Kildee, Ms. Norton, Mr. Underwood, Mr. Klink, Mr. Hinchey, Mr. Farr of California, Mr. Wynn, Mr. Davis of Virginia, Mr. Hall of Ohio, Ms. Jackson-Lee of Texas, Mr. DeFazio, Mrs. Meek of Florida, Mr. Kucinich, Mr. Barcia, Mr. Pastor, Mr. Torres, Mr. Pallone, Mr. Pascrell, Mr. Lewis of Georgia, Ms. Pelosi, Ms. Christian-Green, Mr. Vento, Mrs. Mink of Hawaii, Mr. Pickett, Mr. Kim, Mr. Rothman, Mr. English of Pennsylvania, Mr. Forbes, Mr. Thompson, Mr. Hinojosa, Mr. Ackerman, Mr. Oxley, Mr. Hastings of Florida, Mr. Tierney, Mr. Abercrombie, Mr. Bishop, Mr. Saxton, Mr. Miller of California, Mr. Smith of Washington, Mr. Engel, Mr. John, Mr. Delay, Ms. Slaughter, and Ms. Sanchez) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To provide a process leading to full self-government for Puerto Rico.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “United States-Puerto Rico Political Status Act.”

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, table of contents.
Sec. 2. Findings.
Sec. 3. Policy.
Sec. 4. Process for Puerto Rican full self-government, including the initial decision stage, transition stage, and implementation stage.
Sec. 5. Requirements relating to referenda, including inconclusive referendum and applicable laws.
Sec. 6. Congressional procedures for consideration of legislation.
Sec. 7. Availability of funds for the referenda.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Puerto Rico was ceded to the United States and came under this Nation’s sovereignty pursuant to the Treaty of Paris ending the Spanish-American War in 1898. Article IX of the Treaty of Paris expressly recognizes the authority of Congress to provide for the political status of the inhabitants of the territory.

(2) Consistent with establishment of United States nationality for inhabitants of Puerto Rico under the Treaty of Paris, Congress has exercised its powers under the Territorial Clause of the Constitution (article IV, section 3, clause 2) to provide
by statute for the citizenship status of persons born in Puerto Rico, including extension of special statutory United States citizenship from 1917 to the present.

(3) Consistent with the Territorial Clause and rulings of the United States Supreme Court, partial application of the United States Constitution has been established in the unincorporated territories of the United States including Puerto Rico.

(4) In 1950 Congress prescribed a procedure for instituting internal self-government for Puerto Rico pursuant to statutory authorization for a local constitution. A local constitution was approved by the people, amended and conditionally approved by Congress, and thereupon given effect in 1952 after acceptance of congressional conditions by the Puerto Rico Constitutional Convention and an appropriate proclamation by the Governor. The approved constitution established the structure for constitutional government in respect of internal affairs without altering Puerto Rico’s fundamental political, social, and economic relationship with the United States and without restricting the authority of Congress under the Territorial Clause to determine the application of Federal law to Puerto Rico, resulting in
the present “Commonwealth” structure for local self-government. The Commonwealth remains an unincorporated territory and does not have the status of “free association” with the United States as that status is defined under United States law or international practice.

(5) In 1953 the United States transmitted to the Secretary-General of the United Nations for circulation to its Members a formal notification that the United States no longer would transmit information regarding Puerto Rico to the United Nations pursuant to Article 73(e) of its Charter. The formal United States notification document informed the United Nations that the cessation of information on Puerto Rico was based on the “new constitutional arrangements” in the territory, and the United States expressly defined the scope of the “full measure” of local self-government in Puerto Rico as extending to matters of “internal government and administration, subject only to compliance with applicable provisions of the Federal Constitution, the Puerto Rico Federal Relations Act and the acts of Congress authorizing and approving the Constitution, as may be interpreted by judicial decision.”.
Thereafter, the General Assembly of the United Na-
tions, based upon consent of the inhabitants of the
territory and the United States explanation of the
new status as approved by Congress, adopted Reso-
lution 748 (VIII) by a vote of 22 to 18 with 19
abstentions, thereby accepting the United States de-
termination to cease reporting to the United Nations
on the status of Puerto Rico.

(6) In 1960 the United Nations General Assem-
bly approved Resolution 1541 (XV), clarifying that
under United Nations standards regarding the polit-
ical status options available to the people of territ-
dories yet to complete the process for achieving full
self-government, the three established forms of full
self-government are national independence, free as-

sociation based on separate sovereignty, or full inte-

gration with another nation on the basis of equality.

(7) The ruling of the United States Supreme
Court in the 1980 case Harris v. Rosario (446 U.S.
651) confirmed that Congress continues to exercise
authority over Puerto Rico as territory “belonging to
the United States” pursuant to the Territorial
Clause found at Article IV, section 3, clause 2 of the
United States Constitution, a judicial interpretation
of Puerto Rico’s status which is in accordance with
the clear intent of Congress that establishment of local constitutional government in 1952 did not alter Puerto Rico’s status as an unincorporated United States territory.

(8) In a joint letter dated January 17, 1989, cosigned by the Governor of Puerto Rico in his capacity as president of one of Puerto Rico’s principal political parties and the presidents of the two other principal political parties of Puerto Rico, the United States was formally advised that “. . . the People of Puerto Rico wish to be consulted as to their preference with regards to their ultimate political status”, and the joint letter stated “. . . that since Puerto Rico came under the sovereignty of the United States of America through the Treaty of Paris in 1898, the People of Puerto Rico have not been formally consulted by the United States of America as to their choice of their ultimate political status”.

(9) In the 1989 State of the Union Message, President George Bush urged the Congress to take the necessary steps to authorize a federally recognized process allowing the people of Puerto Rico, for the first time since the Treaty of Paris entered into force, to freely express their wishes regarding their future political status in a congressionally recognized
referendum, a step in the process of self-determination which the Congress has yet to authorize.

(10) In November of 1993, the Government of Puerto Rico conducted a plebiscite initiated under local law on Puerto Rico’s political status. In that vote none of the three status propositions received a majority of the votes cast. The results of that vote were: 48.6 percent commonwealth, 46.3 percent statehood, and 4.4 percent independence.

(11) In 1994, President William Jefferson Clinton established the Executive Branch Interagency Working Group on Puerto Rico to coordinate the review, development, and implementation of executive branch policy concerning issues affecting Puerto Rico, including the November 1993 plebiscite.

(12) There have been inconsistent and conflicting interpretations of the 1993 plebiscite results, and under the Territorial Clause of the Constitution, Congress has the authority and responsibility to determine Federal policy and clarify status issues in order to advance the self-determination process in Puerto Rico.

(13) On December 14, 1994, the Puerto Rico Legislature enacted Concurrent Resolution 62, which
requested the 104th Congress to respond to the re-
sults of the 1993 Puerto Rico Status Plebiscite and
to indicate the next steps in resolving Puerto Rico’s
political status.

(14) Nearly 4,000,000 United States citizens
live in the islands of Puerto Rico, which have been
under United States sovereignty and within the
United States customs territory for almost 100
years, making Puerto Rico the oldest, largest, and
most populous United States island territory at the
southeastern-most boundary of our Nation, located
astride the strategic shipping lanes of the Atlantic
Ocean and Caribbean Sea.

(15) Full self-government for Puerto Rico is att-
tainable only through establishment of a political
status which is based on either separate Puerto
Rican sovereignty and nationality or full and equal
United States nationality and citizenship through
membership in the Union and under which Puerto
Rico is no longer an unincorporated territory subject
to the plenary authority of Congress arising from
the Territorial Clause.

SEC. 3. POLICY.

(a) CONGRESSIONAL COMMITMENT.—In recognition
of the significant level of local self-government which has
been attained by Puerto Rico, and the responsibility of the
Federal Government to enable the people of the territory
to freely express their wishes regarding political status and
achieve full self-government, this Act is adopted with a
commitment to encourage the development and implemen-
tation of procedures through which the permanent politi-
cal status of the people of Puerto Rico can be determined.

(b) OFFICIAL LANGUAGE.—It is the policy of the
Congress that English shall be the common language of
mutual understanding in the United States, and that this
policy shall apply in all of the States duly and freely ad-
mitted to the Union. The Congress recognizes that at the
present time, Spanish and English are the joint official
languages of Puerto Rico, and have been for nearly 100
years; that English is the official language of Federal
courts in Puerto Rico; that the ability to speak English
is a requirement for Federal jury services; yet Spanish
rather than English is currently the predominant language
used by the majority of the people of Puerto Rico; and
that Congress has the authority to expand existing Eng-
lish language requirements in the Commonwealth of Puer-
to Rico. In the event that the referenda held under this
Act result in approval of sovereignty leading to Statehood,
it is anticipated that upon accession to Statehood, English
would become the official language of the Federal Government in Puerto Rico to the same extent as Federal law then requires throughout the United States. Congress also recognizes the significant advantage that proficiency in Spanish as well as English has bestowed on the people of Puerto Rico, and further that this will serve the best interests of both Puerto Rico and the rest of the United States in our mutual dealings in the Caribbean, Latin America, and throughout the Spanish-speaking world.

SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERNMENT, INCLUDING THE INITIAL DECISION STAGE, TRANSITION STAGE, AND IMPLEMENTATION STAGE.

(a) Initial Decision Stage.—A referendum on Puerto Rico’s political status shall be held not later than December 31, 1998. The referendum shall be held pursuant to this Act and in accordance with the applicable provisions of Puerto Rico’s electoral law and other relevant statutes consistent with this Act. Approval of a status option must be by a majority of the valid votes cast. The referendum shall be on the approval of 1 of the 3 options presented on the ballot as follows:

“Instructions: Mark the status option you choose as each is defined below. Ballot with more than 1 option marked will not be counted.
“A. COMMONWEALTH.—If you agree, mark here

Puerto Rico should retain Commonwealth, in which—

“(1) Puerto Rico continues the present Commonwealth structure for self government with respect to internal affairs and administration;

“(2) provisions of the Constitution and laws of the United States apply to Puerto Rico as determined by Congress;

“(3) Puerto Rico remains a locally self-governing unincorporated territory of the United States;

“(4) continuation or modification of current Federal law and policy applicable to Puerto Rico remains within the discretion of Congress; and

“(5) the ultimate status of Puerto Rico will be determined through a process authorized by Congress which includes self determination by the people of Puerto Rico in periodic referenda.

“B. SEPARATE SOVEREIGNTY.—If you agree, mark here

Puerto Rico should become fully self governing through separate sovereignty leading to independence or free association, in which—
“(1) Puerto Rico is a sovereign nation with full authority and responsibility for its internal and external affairs and has the capacity to exercise in its own name and right the powers of government with respect to its territory and population;

“(2) a negotiated treaty of friendship and cooperation, or an international bilateral pact of free association terminable at will by either Puerto Rico or the United States, defines future relations between Puerto Rico and the United States, providing for cooperation and assistance in matters of shared interest as agreed and approved by Puerto Rico and the United States pursuant to this Act and their respective constitutional processes;

“(3) a constitution democratically instituted by the people of Puerto Rico, establishing a republican form of full self-government and securing the rights of citizens of the Puerto Rican nation, is the supreme law, and the Constitution and laws of the United States no longer apply in Puerto Rico;

“(4) The people of Puerto Rico owe allegiance to the sovereign nation of Puerto Rico and have the nationality, and citizenship thereof; United States sovereignty, nationality, and citizenship in Puerto Rico is ended; birth in Puerto Rico and relationship
to persons with statutory United States citizenship
by birth in the former territory are not bases for
United States nationality or citizenship, except that
persons who had such United States citizenship have
a statutory right to retain United States nationality
and citizenship for life, by entitlement or election as
provided by the United States Congress, based on
continued allegiance to the United States: Provided,
That such persons will not have this statutory Unit-
ed States nationality and citizenship status upon
having or maintaining allegiance, nationality, and
citizenship rights in any sovereign nation other than
the United States;

“(5) upon recognition of Puerto Rico by the
United States as a sovereign nation and establish-
ment of government-to-government relations on the
basis of comity and reciprocity, Puerto Rico’s rep-
resentation to the United States is accorded full dip-
lostatic status;

“(6) Puerto Rico is eligible for United States
assistance provided on a government-to-government
basis, including foreign aid or programmatic assist-
ance, at levels subject to agreement by the United
States and Puerto Rico;
“(7) property rights and previously acquired rights vested by employment under laws of Puerto Rico or the United States are honored, and where determined necessary such rights are promptly adjusted and settled consistent with government-to-government agreements implementing the separation of sovereignty; and

“(8) Puerto Rico is outside the customs territory of the United States, and trade between the United States and Puerto Rico is based on a treaty.

“C. STATEHOOD.—If you agree, mark here ______

“Puerto Rico should become fully self governing through United States sovereignty leading to Statehood, in which—

“(1) the people of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which is the supreme law and has the same force and effect as in the other States of the Union;

“(2) the sovereign State of Puerto Rico is in permanent union with the United States, and powers not delegated to the Federal Government or prohibited to the States by the United States Constitution are reserved to the people of Puerto Rico or the State Government;
“(3) United States citizenship of those born in Puerto Rico is guaranteed, protected and secured in the same way it is for all United States citizens born in the other States;

“(4) residents of Puerto Rico have equal rights and benefits as well as equal duties and responsibilities of citizenship, including payment of Federal taxes, as those in the several States;

“(5) Puerto Rico is represented by two members in the United States Senate and is represented in the House of Representatives proportionate to the population;

“(6) United States citizens in Puerto Rico are enfranchised to vote in elections for the President and Vice President of the United States; and

“(7) English is the official language of business and communication in Federal courts and Federal agencies as made applicable by Federal law to every other State, and Puerto Rico is enabled to expand and build upon existing law establishing English as an official language of the State government, courts, and agencies.”.

(b) TRANSITION STAGE.—
(1) PLAN.—(A) Within 180 days of the receipt of the results of the referendum from the Government of Puerto Rico certifying approval of a ballot choice of full self-government in a referendum held pursuant to subsection (a), the President shall develop and submit to Congress legislation for a transition plan of 10 years minimum which leads to full self-government for Puerto Rico consistent with the terms of this Act and in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate.

(B) Additionally, in the event of a vote in favor of separate sovereignty, the Legislature of Puerto Rico, if deemed appropriate, may provide by law for the calling of a constituent convention to formulate, in accordance with procedures prescribed by law, Puerto Rico’s proposals and recommendations to implement the referendum results. If a convention is called for this purpose, any proposals and recommendations formally adopted by such convention within time limits of this Act shall be transmitted to Congress by the President with the transition plan required by this section, along with the views of the
President regarding the compatibility of such proposals and recommendations with the United States Constitution and this Act, and identifying which, if any, of such proposals and recommendations have been addressed in the President’s proposed transition plan.

(C) Additionally, in the event of a vote in favor of United States sovereignty leading to Statehood, the President shall include in the transition plan provided for in this Act, proposals and incentives to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English fully, including but not limited to, the teaching of English in public schools, fellowships, and scholarships. The transition plan should promote the usage of English by the United States citizens of Puerto Rico, in order to best allow for—

(i) the enhancement of the century old practice of English as an official language of Puerto Rico, consistent with the preservation of our Nation’s unity in diversity and the prevention of divisions along linguistic lines;

(ii) the use of language skills necessary to contribute most effectively to the Nation in all
aspects, including but not limited to Hemispheric trade, and for citizens to enjoy the full rights and benefits of their citizenship;

(iii) the promotion of efficiency and fairness to all people in the conduct of the Federal and State government’s official business; and

(iv) the ability of all citizens to take full advantage of the economical, educational, and occupational opportunities through full integration with the United States.

(2) CONGRESSIONAL CONSIDERATION.—The plan shall be considered by the Congress in accordance with section 6.

(3) PUERTO RICAN APPROVAL.—

(A) Not later than 180 days after enactment of an Act pursuant to paragraph (1) providing for the transition to full self-government for Puerto Rico as approved in the initial decision referendum held under subsection (a), a referendum shall be held under the applicable provisions of Puerto Rico’s electoral law on the question of approval of the transition plan.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum
shall be certified to the President of the United States.

(4) **Effective date for transition plan.**—
The President of the United States shall issue a proclamation announcing the effective date of the transition plan to full self-government for Puerto Rico.

(c) **Implementation stage.**—

(1) **Presidential recommendation.**—Not less than two years prior to the end of the period of the transition provided for in the transition plan approved under subsection (b), the President shall submit to Congress legislation with a recommendation for the implementation of full self-government for Puerto Rico consistent with the ballot choice approved under subsection (a).

(2) **Congressional consideration.**—The plan shall be considered by the Congress in accordance with section 6.

(3) **Puerto Rican approval.**—

(A) Within 180 days after enactment of the terms of implementation for full self-government for Puerto Rico, a referendum shall be held under the applicable provisions of Puerto
Rico’s electoral laws on the question of the approval of the terms of implementation for full self-government for Puerto Rico.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum shall be certified to the President of the United States.

(4) Effective Date of Full Self-Government.—The President of the United States shall issue a proclamation announcing the date of implementation of full self-government for Puerto Rico.

SEC. 5. REQUIREMENTS RELATING TO REFERENDA, INCLUDING INCONCLUSIVE REFERENDUM AND APPLICABLE LAWS.

(a) Applicable Laws.—

(1) Referenda Under Puerto Rican Laws.—The referenda held under this Act shall be conducted in accordance with the applicable laws of Puerto Rico, including laws of Puerto Rico under which voter eligibility is determined and which require United States citizenship and establish other statutory requirements for voter eligibility of residents and nonresidents.

(2) Federal Laws.—The Federal laws applicable to the election of the Resident Commissioner
of Puerto Rico shall, as appropriate and consistent with this Act, also apply to the referenda. Any reference in such Federal laws to elections shall be considered, as appropriate, to be a reference to the referenda, unless it would frustrate the purposes of this Act.

(b) CERTIFICATION OF REFERENDA RESULTS.—The results of each referendum held under this Act shall be certified to the President of the United States and the Senate and House of Representatives of the United States by the Government of Puerto Rico.

(c) CONSULTATION AND RECOMMENDATIONS FOR INCONCLUSIVE REFERENDUM.—

(1) IN GENERAL.—If a referendum provided in section 4(b) or (c) of this Act does not result in approval of a fully self-governing status, the President, in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate, shall make recommendations to the Congress within 180 days of receipt of the results of the referendum.

(2) EXISTING STRUCTURE TO REMAIN IN EFFECT.—If the inhabitants of the territory do not
achieve full self-governance through either integration into the Union or separate sovereignty in the
form of independence or free association, Puerto Rico will remain an unincorporated territory of the
United States, subject to the authority of Congress under Article IV, Section 3, Clause 2 of the United
States Constitution. In that event, the existing Commonwealth of Puerto Rico structure for local self-
government will remain in effect, subject to such other measures as may be adopted by Congress in
the exercise of its Territorial Clause powers to determine the disposition of the territory and status of
its inhabitants.

(3) Authority of Congress to Determine Status.—Since current unincorporated territory
status of the Commonwealth of Puerto Rico is not a permanent, unalterable or guaranteed status under
the Constitution of the United States, Congress retains plenary authority and responsibility to determine a permanent status for Puerto Rico consistent with the national interest. The Congress historically has recognized a commitment to take into consideration the freely expressed wishes of the people of Puerto Rico regarding their future political status.
This policy is consistent with respect for the right of
self-determination in areas which are not fully self-governing, but does not constitute a legal restriction or binding limitation on the Territorial Clause powers of Congress to determine a permanent status of Puerto Rico. Nor does any such restriction or limitation arise from the Puerto Rico Federal Relations Act (48 U.S.C. 731 et seq.).

(4) ADDITIONAL REFERENDA.—To ensure that the Congress is able on a continuing basis to exercise its Territorial Clause powers with due regard for the wishes of the people of Puerto Rico respecting resolution of Puerto Rico’s permanent future political status, in the event that a referendum conducted under section four is inconclusive as provided in this subsection, or a majority vote to continue the Commonwealth structure as a territory, there shall be another referendum in accordance with this Act prior to the expiration of a period of four years from the date such inconclusive results are certified or determined. This procedure shall be repeated every four years, but not in a general election year, until Puerto Rico’s unincorporated territory status is terminated in favor of a recognized form of full self-government in accordance with this Act.
SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDERATION OF LEGISLATION.

(a) IN GENERAL.—The majority leader of the House of Representatives (or his designee) and the majority leader of the Senate (or his designee) shall each introduce legislation (by request) providing for the transition plan under section 4(b) and the implementation recommendation under section 4(c) not later than 5 legislative days after the date of receipt by Congress of the submission by the President under that section, as the case may be.

(b) REFERRAL.—The legislation shall be referred on the date of introduction to the appropriate committee or committees in accordance with rules of the respective Houses. The legislation shall be reported not later than the 120th calendar day after the date of its introduction. If any such committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the legislation, and the legislation shall be placed on the appropriate calendar.

(c) CONSIDERATION.—

(1) After the 14th legislative day after the date on which the last committee of the House of Representatives or the Senate, as the case may be, has reported or been discharged from further consideration of such legislation, it is in order after the legislation has been on the calendar for 14 legislative
days for any Member of that House in favor of the
legislation to move to proceed to the consideration of
the legislation (after consultation with the presiding
officer of that House as to scheduling) to move to
proceed to its consideration at any time after the
third legislative day on which the Member announces
to the respective House concerned the Member’s in-
tention to do so. All points of order against the mo-
tion to proceed and against consideration of that
motion are waived. The motion is highly privileged
in the House of Representatives and is privileged in
the Senate and is not debatable. The motion is not
subject to amendment, or to a motion to postpone,
or to a motion to proceed to the consideration of
other business. A motion to reconsider the vote by
which the motion is agreed to or disagreed to shall
not be in order. If a motion to proceed to the consid-
eration of the legislation is agreed to, the respective
House shall immediately proceed to consideration of
the legislation without intervening motion (exception
one motion to adjourn), order, or other business.

(2)(A) In the House of Representatives, during
consideration of the legislation in the Committee of
the Whole, the first reading of the legislation shall
be dispensed with. General debate shall be confined
to the legislation, and shall not exceed 4 hours equally divided and controlled by a proponent and an opponent of the legislation. After general debate, the legislation shall be considered as read for amendment under the five-minute rule. Consideration of the legislation for amendment shall not exceed 4 hours excluding time for recorded votes and quorum calls. At the conclusion of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the legislation and amendments thereto to final passage without intervening motion, except one motion to recommit with or without instructions. A motion to reconsider the vote on passage of the legislation shall not be in order.

(B) In the Senate, debate on the legislation, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 25 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees. No amendment that is not germane to the provisions of such legislation shall be received. A motion to further limit debate is not debatable.
(3) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to the legislation described in subsection (a) shall be decided without debate.

(d) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of the legislation described in subsection (a) that was introduced in that House, that House receives from the other House the legislation described in subsection (a)—

(A) the legislation of the other House shall not be referred to a committee and may not be considered in the House that receives it otherwise than on final passage under subparagraph (B)(ii) or (iii); and

(B)(i) the procedure in the House that receives such legislation with respect to such legislation that was introduced in that House shall be the same as if no legislation had been received from the other House; but

(ii) in the case of legislation received from the other House that is identical to the legislation as engrossed by the receiving House, the vote on final passage shall be on the legislation of the other House; or
(iii) after passage of the legislation, the legislation of the other House shall be considered as amended with the text of the legislation just passed and shall be considered as passed, and that House shall be considered to have insisted on its amendment and requested a conference with the other House.

(2) Upon disposition of the legislation described in subsection (a) that is received by one House from the other House, it shall no longer be in order to consider such legislation that was introduced in the receiving House.

(e) Upon receiving from the other House a message in which that House insists upon its amendment to the legislation and requests a conference with the House of Representatives or the Senate, as the case may be, on the disagreeing votes thereon, the House receiving the request shall be considered to have disagreed to the amendment of the other House and agreed to the conference requested by that House.

(f) Definition.—For the purposes of this section, the term “legislative day” means a day on which the House of Representatives or the Senate, as appropriate, is in session.

(g) Exercise of Rulemaking Power.—The provisions of this section are enacted by the Congress—
(1) as an exercise of the rulemaking power of the Senate and the House of Representatives and, as such, shall be considered as part of the rules of each House and shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.

(a) In General.—

(1) Availability of amounts derived from tax on foreign rum.—During the period beginning October 1, 1997, and ending on the date the President determines that all referenda required by this Act have been held, from the amounts covered into the treasury of Puerto Rico under section 7652(e)(1) of the Internal Revenue Code of 1986, the Secretary of the Treasury—

(A) upon request and in the amounts identified from time to time by the President, shall make the amounts so identified available to the treasury of Puerto Rico for the purposes specified in subsection (b); and
(B) shall transfer all remaining amounts to the treasury of Puerto Rico, as under current law.

(2) **Report of Referenda Expenditures.**—Within 180 days after each referendum required by this Act, and after the end of the period specified in paragraph (1), the President, in consultation with the Government of Puerto Rico, shall submit a report to the United States Senate and United States House of Representatives on the amounts made available under paragraph (1)(A) and all other amounts expended by the State Elections Commission of Puerto Rico for referenda pursuant to this Act.

(b) **Grants for Conducting Referenda and Voter Education.**—From amounts made available under subsection (a)(1), the Government of Puerto Rico shall make grants to the State Elections Commission of Puerto Rico for referenda held pursuant to the terms of this Act, as follows:

(1) 50 percent shall be available only for costs of conducting the referenda.

(2) 50 percent shall be available only for voter education funds for the central ruling body of the political party, parties, or other qualifying entities
advocating a particular ballot choice. The amount allocated for advocating a ballot choice under this paragraph shall be apportioned equally among the parties advocating that choice.

(c) ADDITIONAL RESOURCES.—In addition to amounts made available by this Act, the Puerto Rico Legislature may allocate additional resources for administrative and voter education costs to each party so long as the distribution of funds is consistent with the apportionment requirements of subsection (b).