

[Discussion Draft]

**AMENDMENT IN THE NATURE OF A
SUBSTITUTE**

TO H.R. 900

OFFERED BY M. _____

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Puerto Rico Democracy Act of
3 2007”.

4 **SEC. 2. PUERTO RICAN DECISION ON PRESENT**
5 **STATUS.**

6 (a) PLEBISCITE. —The Puerto Rico State Elections Commission
7 shall conduct a plebiscite in Puerto Rico not later than December
8 31, 2009. The two options set forth on the ballot shall be preceded
9 by the following statement: Instructions: Mark one of the
10 following two options:

11 (1) Puerto Rico should continue to have its present
12 status and relationship with the United States. If you agree,
13 mark here _____.

1 (2) Puerto Rico should pursue a constitutionally-
2 viable permanent non-territorial status. If you agree, mark here
3 _____.

4 (b) RECOMMENDATIONS.—If a majority of the validly-
5 cast ballots in any plebiscite favors Option 2, and no later than six
6 months of the date that the results of the plebiscite are certified by
7 the Puerto Rico State Elections Commission as set forth in Section
8 3(d), the President’s Task Force on Puerto Rico’s Status shall
9 submit recommendations for appropriate action to the Committee
10 on Natural Resources of the House of Representatives and the
11 Committee on Energy and Natural Resources of the Senate
12 developed after consultation with the Resident Commissioner,
13 Governor, and leaders of the Legislative Assembly of Puerto Rico.

14 **SEC. 3. APPLICABLE LAWS AND OTHER**
15 **REQUIREMENTS.**

16 (a) APPLICABLE LAWS.—All Federal laws applicable to
17 the election of the Resident Commissioner shall, as appropriate and
18 consistent with this Act, also apply to the plebiscite held pursuant
19 to this Act. Any reference in such Federal laws to elections shall be
20 considered, as appropriate, to be a reference to the plebiscite,
21 unless it would frustrate the purposes of this Act.

22 (b) FEDERAL COURT JURISDICTION.—The Federal
23 courts of the United States shall have exclusive jurisdiction over

1 any legal claims or controversies arising from the implementation
2 of this Act.

3 (c) ELIGIBILITY; BALLOT.—Persons eligible to vote
4 under this subsection shall, upon timely request submitted to the
5 Puerto Rico State Elections Commission in compliance with any
6 terms imposed by the Electoral Law of Puerto Rico, be entitled to
7 receive an absentee ballot for such plebiscite. Each of the
8 following shall be eligible to vote in the plebiscite held under this
9 Act:

10 (1) All eligible voters under the electoral laws in
11 effect in Puerto Rico at the time the plebiscite is held.

12 (2) All United States citizens born in Puerto Rico
13 who comply, to the satisfaction of the Puerto Rico State Elections
14 Commission, with all Puerto Rico State Elections Commission
15 requirements (other than the residency requirement) applicable to
16 eligibility to vote in a general election.

17 (d) CERTIFICATION OF PLEBISCITE RESULTS.— The
18 Puerto Rico State Elections Commission shall certify the results
19 of each plebiscite held under this Act to the President of the United
20 States and to the Members of the Senate and House of
21 Representatives of the United States.

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1 **SEC. 4. FUNDS.**

2 During the period beginning October 1, 2007, and ending on the
3 date the President determines that the plebiscite required by this
4 Act has been held, the Secretary of the Treasury may allocate,
5 from the funds provided to the Government of Puerto Rico under
6 section 7652(e) of the Internal Revenue Code, not more than
7 \$5,000,000 for this plebiscite to the State Elections Commission of
8 Puerto Rico to be used for expenses of carrying out said plebiscite
9 under this Act, including for voter education materials as certified
10 by the President's Task Force on Puerto Rico's Status as not being
11 incompatible with the Constitution and basic laws and policies of
12 the United States. Such amounts shall be as identified by the
13 President's Task Force on Puerto Rico's Status as necessary for
14 such purposes.