

**Union Calendar No. 62**

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 873**

**[Report No. 109–110]**

To provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

FEBRUARY 17, 2005

Mr. POMBO (for himself, Mr. RAHALL, Mr. FLAKE, Mr. ABERCROMBIE, Mr. BURTON of Indiana, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. CASE, Mr. YOUNG of Alaska, Mr. BLUNT, Mr. DOOLITTLE, Mr. CARDOZA, Mr. WALDEN of Oregon, Mr. FORTUÑO, Mr. REHBERG, Mr. RADANOVICH, Mr. COLE of Oklahoma, Mr. GILCHREST, and Mr. CANTOR) introduced the following bill; which was referred to the Committee on Resources

JUNE 8, 2005

Additional sponsor: Mr. LEWIS of California

JUNE 8, 2005

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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**A BILL**

To provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands, 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 “Northern Mariana Is-

5       lands Delegate Act”.

6       **SEC. 2. DELEGATE TO HOUSE OF REPRESENTATIVES FROM**  
7                       **COMMONWEALTH OF THE NORTHERN MAR-**  
8                       **IANA ISLANDS.**

9       The Commonwealth of the Northern Mariana Islands

10      shall be represented in the United States Congress by the

11      Resident Representative to the United States authorized

12      by section 901 of the Covenant to Establish a Common-

13      wealth of the Northern Mariana Islands in Political Union

14      with the United States of America (approved by Public

15      Law 94–241 (48 U.S.C. 1801 et seq.)). The Resident Rep-

16      resentative shall be a nonvoting Delegate to the House of

17      Representatives, elected as provided in this Act.

18      **SEC. 3. ELECTION OF DELEGATE.**

19           (a) ELECTORS AND TIME OF ELECTION.—The Dele-

20      gate shall be elected—

21           (1) by the people qualified to vote for the popu-

22      larly elected officials of the Commonwealth of the

23      Northern Mariana Islands; and

1           (2) at the Federal general election of 2006 and  
2           at such Federal general election every 2d year there-  
3           after.

4           (b) MANNER OF ELECTION.—

5           (1) IN GENERAL.—The Delegate shall be elect-  
6           ed at large and by a plurality of the votes cast for  
7           the office of Delegate.

8           (2) EFFECT OF ESTABLISHMENT OF PRIMARY  
9           ELECTIONS.—Notwithstanding paragraph (1), if the  
10          Government of the Commonwealth of the Northern  
11          Mariana Islands, acting pursuant to legislation en-  
12          acted in accordance with the Constitution of the  
13          Commonwealth of the Northern Mariana Islands,  
14          provides for primary elections for the election of the  
15          Delegate, the Delegate shall be elected by a majority  
16          of the votes cast in any general election for the of-  
17          fice of Delegate for which such primary elections  
18          were held.

19          (c) VACANCY.—In case of a permanent vacancy in the  
20          office of Delegate, the office of Delegate shall remain va-  
21          cant until a successor is elected and qualified.

22          (d) COMMENCEMENT OF TERM.—The term of the  
23          Delegate shall commence on the 3d day of January fol-  
24          lowing the date of the election.

1 **SEC. 4. QUALIFICATIONS FOR OFFICE OF DELEGATE.**

2 To be eligible for the office of Delegate a candidate  
3 shall—

4 (1) be at least 25 years of age on the date of  
5 the election;

6 (2) have been a citizen of the United States for  
7 at least 7 years prior to the date of the election;

8 (3) be a resident and domiciliary of the Com-  
9 monwealth of the Northern Mariana Islands for at  
10 least 7 years prior to the date of the election;

11 (4) be qualified to vote in the Commonwealth of  
12 the Northern Mariana Islands on the date of the  
13 election; and

14 (5) not be, on the date of the election, a can-  
15 didate for any other office.

16 **SEC. 5. DETERMINATION OF ELECTION PROCEDURE.**

17 Acting pursuant to legislation enacted in accordance  
18 with the Constitution of the Commonwealth of the North-  
19 ern Mariana Islands, the Government of the Common-  
20 wealth of the Northern Mariana Islands may determine  
21 the order of names on the ballot for election of Delegate,  
22 the method by which a special election to fill a permanent  
23 vacancy in the office of Delegate shall be conducted, the  
24 method by which ties between candidates for the office of  
25 Delegate shall be resolved, and all other matters of local

1 application pertaining to the election and the office of Del-  
2 egate not otherwise expressly provided for in this Act.

3 **SEC. 6. COMPENSATION, PRIVILEGES, AND IMMUNITIES.**

4       Until the Rules of the House of Representatives are  
5 amended to provide otherwise, the Delegate from the Com-  
6 monwealth of the Northern Mariana Islands shall receive  
7 the same compensation, allowances, and benefits as a  
8 Member of the House of Representatives, and shall be en-  
9 titled to whatever privileges and immunities are, or herein-  
10 after may be, granted to any other nonvoting Delegate to  
11 the House of Representatives.

12 **SEC. 7. LACK OF EFFECT ON COVENANT.**

13       No provision of this Act shall be construed to alter,  
14 amend, or abrogate any provision of the covenant referred  
15 to in section 2 except section 901 of the covenant.

16 **SEC. 8. DEFINITION.**

17       For purposes of this Act, the term “Delegate” means  
18 the Resident Representative referred to in section 2.

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