§ 1735. Operation of Office; compensation, allowances, and benefits; privileges and immunities

Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from American Samoa shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities that are, or hereinafter may be, granted to the nonvoting Delegate from the Territory of Guam.

(Pub. L. 95–556, § 5, Oct. 31, 1978, 92 Stat. 2078; Pub. L. 97–357, title IV, § 401, Oct. 19, 1982, 96 Stat. 1711.)

AMENDMENTS

1982—Pub. L. 97–357 struck out proviso limiting clerk hire allowance for Delegate from American Samoa to 50 per centum of clerk hire allowance of a Member of House of Representatives.

EFFECTIVE DATE OF 1982 AMENDMENT

Section 401 of Pub. L. 97–357 provided that amendment made by that section is effective Jan. 1, 1983.

SUBCHAPTER III—NORTHERN MARIANA ISLANDS DELEGATE

§ 1751. Delegate to House of Representatives from Commonwealth of the Northern Mariana Islands

The Commonwealth of the Northern Mariana Islands shall be represented in the United States Congress by the Resident Representative to the United States authorized by section 901 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (approved by Public Law 94–241 (48 U.S.C. 1801 et seq.)). The Resident Representative shall be a nonvoting Delegate to the House of Representatives, elected as provided in this subchapter.

(Pub. L. 110–229, title VII, § 711, May 8, 2008, 122 Stat. 868.)

REFERENCES IN TEXT

Section 901 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, referred to in text, is contained in section 1 of Pub. L. 94–241, set out as a note under section 1801 of this title.

Public Law 94–241, referred to in text, is Pub. L. 94–241, Mar. 24, 1976, 90 Stat. 263, which is classified generally to subchapter I (§ 1801 et seq.) of this chapter. For complete classification of this Act to the Code, see Tables.

This subchapter, referred to in text, was in the original ''this subtitle'', meaning subtitle B (§§ 711–718) of title VII of Pub. L. 110–229, May 8, 2008, 122 Stat. 868, which enacted this subchapter and amended sections 4342, 6954 and 9432 of Title 10, Armed Forces. For complete classification of subtitle B to the Code, see Tables.

§ 1752. Election of Delegate

(a) Electors and time of election

The Delegate shall be elected—

(1) by the people qualified to vote for the popularly elected officials of the Commonwealth of the Northern Mariana Islands; and

(2) at the Federal general election of 2008 and at such Federal general election every 2d year thereafter.

(b) Manner of election

(1) In general

The Delegate shall be elected at large and by a plurality of the votes cast for the office of Delegate.

(2) Effect of establishment of primary elections

Notwithstanding paragraph (1), if the Government of the Commonwealth of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with the Constitution of the Commonwealth of the Northern Mariana Islands, provides for primary elections for the election of the Delegate, the Delegate shall be elected by a majority of the votes cast in any general election for the office of Delegate for which such primary elections were held.

(c) Vacancy

In case of a permanent vacancy in the office of Delegate, the office of Delegate shall remain vacant until a successor is elected and qualified.

(d) Commencement of term

The term of the Delegate shall commence on the 3d day of January following the date of the election.

(Pub. L. 110–229, title VII, § 712, May 8, 2008, 122 Stat. 868.)

§ 1753. Qualifications for office of Delegate

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

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

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

(3) be a resident and domiciliary of the Commonwealth of the Northern Mariana Islands for at least 7 years prior to the date of the election;

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

(5) not be, on the date of the election, a candidate for any other office.

(Pub. L. 110–229, title VII, § 713, May 8, 2008, 122 Stat. 868.)

§ 1754. Determination of election procedure

Acting pursuant to legislation enacted in accordance with the Constitution of the Commonwealth of the Northern Mariana Islands, the Government of the Commonwealth of the Northern Mariana Islands may determine the order of names on the ballot for election of Delegate, the method by which a special election to fill a permanent vacancy in the office of Delegate shall be conducted, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for in this subchapter.