

116TH CONGRESS
1ST SESSION

H. R. 5526

To provide for a nonvoting delegate to the Senate to represent American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2019

Mr. SAN NICOLAS (for himself, Ms. NORTON, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for a nonvoting delegate to the Senate to represent American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States, 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 “Territorial Representa-
5 tion in the Senate Act”.

1 **SEC. 2. DELEGATE TO SENATE FROM EACH TERRITORY.**

2 Each Territory shall be represented in the United
3 States Congress by a Delegate to the United States Sen-
4 ate. The Delegate shall be a nonvoting Delegate in the
5 Senate, elected as provided in this Act.

6 **SEC. 3. ELECTION OF DELEGATE.**

7 (a) **ELECTORS AND TIME OF ELECTION.**—The Dele-
8 gate for a Territory shall be elected—

9 (1) by the people qualified to vote for the popu-
10 larly elected officials of the Territory;

11 (2) at the first Federal general election occur-
12 ring at least one year after the date of the enact-
13 ment of this Act and at each Federal general elec-
14 tion every 6 years thereafter; and

15 (3) at a special election, if required due to a
16 mid-term permanent vacancy.

17 (b) **MANNER OF ELECTION.**—

18 (1) **IN GENERAL.**—The Delegate shall be elect-
19 ed at large and by a plurality of the votes cast for
20 the office of Delegate.

21 (2) **EFFECT OF ESTABLISHMENT OF PRIMARY**
22 **ELECTIONS.**—Notwithstanding paragraph (1), if the
23 Government of the Territory, acting pursuant to leg-
24 islation enacted in accordance with the Constitution
25 of the Territory, provides for primary elections for
26 the election of the Delegate, the Delegate shall be

1 elected by a majority of the votes cast in any general
2 election for the office of Delegate for which such pri-
3 mary elections were held.

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

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

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

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

13 (1) be at least 30 years of age on the date of
14 the election;

15 (2) have been a citizen of the United States for
16 at least 9 years prior to the date of the election;

17 (3) be a resident and domiciliary of the Terri-
18 tory prior to the date of the election for a period to
19 be determined by the Government of the Territory;

20 (4) be qualified to vote in the Territory on the
21 date of the election; and

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

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

2 Acting pursuant to legislation enacted in accordance
3 with the Constitution of the Territory, the Government of
4 the Territory may determine—

5 (1) the order of names on the ballot for election
6 of Delegate;

7 (2) the method by which a special election to fill
8 a permanent vacancy in the office of Delegate shall
9 be conducted;

10 (3) the method by which ties between can-
11 didates for the office of Delegate shall be resolved;
12 and

13 (4) all other matters of local application per-
14 taining to the election and the office of Delegate not
15 otherwise expressly provided for in this Act.

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

17 Until the Rules of the Senate are amended to provide
18 otherwise, the Delegate from the Territory shall receive
19 the same compensation, allowances, and benefits as a
20 Member of the Senate, and shall be entitled to whatever
21 privileges and immunities are, or hereinafter may be,
22 granted to any other member of the Senate, except that
23 a Delegate shall be nonvoting on final Senate votes.

24 **SEC. 7. DEFINITION.**

25 For purposes of this Act, the term “Territory”
26 means, individually, American Samoa, the Commonwealth

- 1 of the Northern Mariana Islands, Guam, Puerto Rico, and
- 2 the Virgin Islands of the United States.

