

Proclamation 4568

May 9, 1978

## Application of Certain Laws of the United States to the Northern Mariana Islands

*By the President of the United States of America***A Proclamation**

The Northern Mariana Islands, as part of the Trust Territory of the Pacific Islands, are administered by the United States under a Trusteeship Agreement between the United States and the Security Council of the United Nations (61 Stat. 3301). The United States has undertaken to promote the political development of the Trust Territory toward self-government or independence and to protect the rights and fundamental freedoms of its people.

In accordance with those obligations, the United States and the Northern Mariana Islands have entered into a Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (Public Law 94-241; 90 Stat. 263). Section 1004(a) of the Covenant provides that if the President finds a provision of the Constitution or laws of the United States to be inconsistent with the Trusteeship Agreement, the application of that provision to the Northern Mariana Islands may be suspended.

90 Stat. 277.  
48 USC 1681  
note.

Certain provisions of law restrict jury service in Federal District Courts to United States citizens. The vast majority of the inhabitants of the Northern Mariana Islands are not citizens of the United States and consequently may not participate as jurors in proceedings before the United States District Court for the Northern Mariana Islands. They may also be deprived of the right to have their cases heard before juries selected at random from a fair cross-section of their community. These results would be contrary to the obligations assumed by the United States in the Trusteeship Agreement.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, by the authority vested in me by the Constitution and laws of the United States, including Section 1004(a) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, do hereby find, declare and proclaim as follows:

Any provision of the Constitution or laws of the United States which prescribes United States citizenship as a qualification for service on a grand or petit jury in the District Court for the Northern Mariana Islands, including that provision contained in Section 1865(b)(1) of Title 28 of the United States Code, would be inconsistent with the Trusteeship Agreement if applied to a citizen of the Trust Territory of the Pacific Islands who is exclusively domiciled, within the meaning of Section 1005(e) of the Covenant, in the Northern Mariana Islands.

90 Stat. 278.

Therefore, the application to such individual of any of these provisions is suspended until the termination of the Trusteeship Agreement for the Former Japanese Mandated Islands in the Pacific (61 Stat. 3301).

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of May, in the year of our Lord nineteen hundred seventy-eight, and of the Independence of the United States of America the two hundred and second.

JIMMY CARTER