

**TITLE 1: GOVERNMENT**  
**DIVISION 6: ELECTIONS**

**§ 6921. Northern Marianas Descent Registry (NMDR).**

There is hereby established within the Office of the Commonwealth Election Commission a Northern Marianas Descent Registry (NMDR) for the purpose of maintaining official listings and records of persons of Northern Marianas descent, and others as may be allowed or required pursuant to this chapter. Such registry shall produce the Official Northern Marianas Descent Identification Card (ONMDIC) that will be issued only to persons who are qualified pursuant to Article XII, § 4 of the Northern Mariana Islands Constitution.

(a) In accordance with this chapter, the NMDR is the only one authorized to be established in the Commonwealth. There shall be no other government department, agency or its instrumentalities, including the Offices of the Mayors of Rota, Tinian and Aguiguan, Saipan, and the islands North of Saipan allowed or authorized to establish within their respective offices registry of persons of Northern Marianas descent.

(b) The Commonwealth Election Commission shall designate its Executive Director to manage the registry and activities of the NMDR.

(c) Notwithstanding any established Commonwealth of the Northern Mariana Islands residents' registry within CEC, the NMDR shall be a separate registry in and by itself for the stated purposes as set forth below.

(1) CEC shall use only the NMDR as the official registry of persons of Northern Marianas descent in any and all elections, i.e. Senatorial District Election or Commonwealth General Elections or Federal Election or Special Election that requires only persons of Northern Marianas descent to vote in such election pursuant to the said Article XVIII, § 5 of the Northern Mariana Islands Constitution, and as it may be required by other local or federal laws, and for other purposes as may be needed or required.

(2) The Marianas Public Land Authority (MPLA) or its successors, now, the Department of Public Lands (DPL), upon this chapter becoming law, shall completely cease its registry of persons of Northern Marianas descent.

(3) CEC shall not attempt to use, acknowledge, recognize, obtain or accept any registry of persons of Northern Marianas descent from DPL or from any other sources within the Commonwealth Government, including the Offices of the Mayors of Rota, Tinian and Aguiguan, Saipan, and the islands north of Saipan holding such registry or records.

(4) No person holding any form of Northern Marianas Descent Identification Card issued by MPLA or its successors or from any other sources shall be allowed to use such identification card for the stated purpose provided under this chapter.

(5) CEC shall adopt a system in registering persons of Northern Marianas descent in order to properly and accurately identify that the person registering is a natural person of Northern Marianas descent. In this case, CEC may require the Commonwealth Health Center (CHC) to provide a copy of the original birth record showing the natural parents or ancestors of the person registering. Such birth record shall identify the nationality and race of the parents, i.e. NMD Chamorro or Carolinian or part NMD, etc. And if necessary, CEC may obtain such records from the CNMI Superior Court or in archives, such as the Catholic Church or others, who may be keeping such record or information.

(6) CHC and the CNMI Superior Court, upon receipt from CEC a request for a copy of original birth record of the individual person registering, shall promptly produce and provide it to CEC without cost.

**Source:** PL 17-40 § 2 (April 21, 2011), modified.

**Commission Comment:** The Commission replaced “this Act” with “this chapter” and changed capitalization pursuant to 1 CMC § 3806(d) and (f).

Public Law 17-40 (effective April 21, 2011) included the following:

**Section 1. Findings and Purposes.** The Legislature finds that Article XII, § 1 of the Northern Mariana Islands Constitution ("Constitution") restricted the acquisition of permanent and long term interests in real property within the Commonwealth to persons of Northern Marianas descent, as defined in § 4 of the said Article.

The Legislature further finds that Covenant § 805 (a) provides that after 25 years from the termination of the Trusteeship Agreement, and may thereafter, the people of the Northern Mariana Islands will regulate the alienation of permanent and long-term interest in real property; etc. This said provision was incorporated in Article XII of the Constitution, which was adopted without any time limitation by the people of the Northern Mariana Islands, in accordance with Article I, §103 of the Covenant.

The Legislature further finds that the natural persons of Chamorro and Carolinian descent were often referred to and known as “the people of the Northern Mariana Islands” by the Administering Authority, which was the United States of America, and by the United Nations. That it was the Chamorro and Carolinian people that negotiated and voted for the Covenant, which established the Commonwealth of the Northern Mariana Islands in political union with the United State of America.

The Legislature further finds that Article XVIII, § 5 of the Constitution was amended by Senate Legislative Initiative No. 11-1 (S.L.I. No. 11-1) to provide that only persons of Northern Marianas descent can vote on constitutional amendments affecting the protection against alienation of land. And, the fact that Covenant § 805 in part stated that, “the Government of the Northern Mariana Islands, in view of the importance of the ownership of land for the culture and tradition of the people of the Northern Mariana Islands, and in order to protect them against exploitation and to promote their economic advancement and self- sufficiency,” by this direct mentioned [sic] of “the people of the Northern

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Mariana Islands” is clearly referring to persons of the Northern Mariana Chamorro and Carolinian descent who negotiated and voted for the Covenant. The Legislature agrees; and, therefore, supports that “only” persons of Northern Mariana descent can vote on Constitutional amendments affecting the protection against alienation of lands.

The Legislature further finds that the Department of Public Lands, at one time, was registering persons who are of Northern Marianas descent and later discontinued doing it. And lately, in preparation for the possibility that the people of the Northern Mariana Islands may decide to exercise the provision of Covenant § 805 (a), and with the ratification of S.L.I. No. 11-1, the Commonwealth Election Commission (CEC) started to register persons who are of Northern Marianas descent. CEC initiated such registry without any statutory authority; and as such, it may be discontinued also. With the above concerns, the Legislature finds it necessary to mandate the establishment and control of the registry of persons of Northern Marianas descent within the Office of the Commonwealth Election Commission.