

notwithstanding the provision in rule 54(a) Federal Rules of Criminal Procedure relating to the prosecution of criminal offenses on Guam by information, the rules of practice and procedure heretofore or hereafter promulgated and made effective by the Congress or the Supreme Court of the United States pursuant to titles 11, 18, and 28, United States Code, shall apply to the District Court of Guam and appeals therefrom; except that the terms, "Attorney for the government" and "United States attorney", as used in the Federal Rules of Criminal Procedure, shall, when applicable to cases arising under the laws of Guam, including the Guam Territorial income tax, mean the Attorney General of Guam or such other person or persons as may be authorized by the laws of Guam to act therein.

(Aug. 1, 1950, ch. 512, §22D, as added Pub. L. 98-454, title VIII, §801, Oct. 5, 1984, 98 Stat. 1743.)

#### REFERENCES IN TEXT

The Federal Rules of Criminal Procedure, referred to in text, are set out in the Appendix to Title 18, Crimes and Criminal Procedure.

#### EFFECTIVE DATE

Section effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as an Effective Date of 1984 Amendment note under section 1424 of this title.

#### § 1424a. Repealed. Oct. 31, 1951, ch. 655, § 56(e), 65 Stat. 729

Section, act Aug. 1, 1950, ch. 512, §23, 64 Stat. 390, related to appeals from the District Court of Guam to the United States Court of Appeals for the Ninth Circuit, and to the United States Supreme Court. See sections 41, 1252, 1291, 1292, and 1294 of Title 28, Judiciary and Judicial Procedure.

#### SAVINGS PROVISION

Act Oct. 31, 1951, ch. 655, §56(l), 65 Stat. 730, provided that the repeal by section 56 of act Oct. 31, 1951, shall not affect any rights or liabilities existing hereunder on the effective date of that repeal (Oct. 31, 1951).

#### § 1424b. Judge of District Court; appointment, tenure, removal, and compensation; appointment of United States attorney and marshal

(a) The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of Guam who shall hold office for the term of ten years and until his successor is chosen and qualified unless sooner removed by the President for cause. The judge shall receive a salary payable by the United States which shall be at the rate prescribed for judges of the United States district courts.

The Chief Judge of the Ninth Judicial Circuit of the United States may assign a judge of a local court of record or a judge of the High Court of the Trust Territory of the Pacific Islands or a circuit or district judge of the ninth circuit or a recalled senior judge of the District Court of Guam or of the District Court for the Northern Mariana Islands, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge in the District Court of Guam whenever it is made to appear that such an assignment is

necessary for the proper dispatch of the business of the court.

(b) The President shall appoint, by and with the advice and consent of the Senate, a United States attorney and United States marshal for Guam to whose offices the provisions of chapters 35 and 37 of title 28, respectively, shall apply.

(Aug. 1, 1950, ch. 512, §24, 64 Stat. 390; Oct. 31, 1951, ch. 655, §55(a), 65 Stat. 728; Pub. L. 85-444, §3, June 4, 1958, 72 Stat. 179; Pub. L. 98-454, title VIII, §802, Oct. 5, 1984, 98 Stat. 1743.)

#### AMENDMENTS

1984—Subsec. (a). Pub. L. 98-454, §802(a)-(c), substituted "for the term of ten years" for "for a term of eight years" in first par., and, in second par., substituted "a local court of record" for "the Island Court of Guam" and inserted "or a recalled senior judge of the District Court of Guam or of the District Court of the Northern Mariana Islands" after "ninth circuit".

Subsec. (b). Pub. L. 98-454, §802(d), substituted "35" and "37" for "31" and "33" respectively.

Subsec. (c). Pub. L. 98-454, §802(e), struck out subsec. (c) which provided that chapters 43 and 49 of title 28 shall apply to the District Court of Guam.

1958—Subsec. (a). Pub. L. 85-444 increased the term of office from four to eight years, substituted provisions requiring the salary of the judge to be at the rate prescribed for judges of the United States district courts for provisions which required the salary of the judge to be the same as salary of the Governor of Guam, and inserted provisions permitting the Chief Judge of the Ninth Circuit to make temporary assignments.

1951—Subsec. (a). Act Oct. 31, 1951, in second sentence, struck out " ", and shall be entitled to the benefits of retirement provided in section 373 of title 28".

Subsec. (c). Act Oct. 31, 1951, struck out references to chapters 21, 41, and 57 of title 28.

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendments by Pub. L. 98-454 effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as a note under section 1424 of this title.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of this title.

#### EXTENSION OF TERM OF DISTRICT JUDGES; APPLICABILITY; EFFECTIVE DATE

Pub. L. 98-454, title X, §1004, Oct. 5, 1984, 98 Stat. 1746, provided that: "The provisions of sections 706(a), 802(a), and 901(a) of this Act [amending sections 1614, 1424b, and 1821, respectively, of this title] extending the terms of district court judges of the Virgin Islands, Guam, and the Northern Mariana Islands, respectively, from eight to ten years shall be applicable to the judges of those courts holding office on the effective date of this Act [Oct. 5, 1984]."

#### § 1424c. Review of claims respecting land on Guam

##### (a) Jurisdiction

Notwithstanding any law or court decision to the contrary, the District Court of Guam is hereby granted authority and jurisdiction to review claims of persons, their heirs or legatees, from whom interests in land on Guam were acquired other than through judicial condemnation proceedings, in which the issue of compensation was adjudicated in a contested trial in the District Court of Guam, by the United States between July 21, 1944, and August 23, 1963,