

case ("taking", "public use", and "just compensation") but in addition would review the issues of whether the United States had a legitimate need for the land and whether the amount of land and the estate in land proposed to be taken were the minimum required to meet that need.

6. Finally, the United States would not be permitted to seek, through the involuntary means described above, any land for military purposes, following approval of the Status Agreement -- except for two "restricted use areas" on Saipan. Except, further, upon a declaration of war or other lawful hostile military action by the United States armed forces (as under the recently passed War Powers Resolution) and upon a Presidential declaration that the particular land was needed the United States could take such land in the same way it could in the United States. Of course, land for military purposes could be provided at any time with the agreement of the Government of the Marianas.

The foregoing components of the Marianas' proposal on eminent domain would provide a means for the United States to satisfy unanticipated future land needs while at the same time assuring the people of the Marianas that their scarce land resources would be respected. Except for the special limitation on military land acquisitions, most of the safeguards and