

limitations proposed are similar to those proposed by the United States in the "United States Commonwealth Proposal," Section 381 (d), (e), (f) (1)-(f) (6), and (g) and in the "United States Draft Bill for an Unincorporated Territory," Section 405 (d) (vii). The provision with respect to military needs is considered necessary to assure respect for the terms of any agreements on military land to be set forth in the Status Agreement. The Commission's proposal provides assurances, however, that the United States will be able to take land for military purposes in an emergency--in the unlikely event that the Government of the Marianas did not agree to make land available to meet that emergency.

The underlying purpose of the Commission's proposal--to recognize that the United States has a legitimate interest in being able to exercise its power of eminent domain and at the same time to protect against abuses of that power--can be implemented in a number of ways. In view of the importance of this issue to the negotiations and considering its complexity, the Commission recommends that this topic be placed on the agenda of the joint working group of lawyers so that progress toward an agreement in this area can be made before the next session of the negotiations.