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ARTICLE VIII

Land

Section 801. The title to real and personal property remaining in the Mariana Islands District on the date of termination of the Trusteeship Agreement which is owned or held by the Government of the Trust Territory of the Pacific Islands will be transferred to the Government of the Northern Mariana Islands.

Section 802 ff. [Land areas to be acquired by the United States for defense purposes, to include disclaimer of present U.S. intent to acquire more land for defense purposes]

Section 80[3]. In the event it should become necessary in the future for the Government of the United States to acquire any interest in land not already made available to it under this Agreement, it may, upon notice to the Government of the Northern Mariana Islands, acquire for public purposes in accordance with established federal laws and procedures any interests in land in the Northern Mariana Islands, whether owned or controlled by private parties or by the Government of the Northern Mariana Islands, by purchase, lease, exchange, gift or otherwise under such terms and conditions as may be negotiated by the parties. In such event, however, the United States Government will:

(a) Seek to acquire only the minimum of land necessary to accomplish the public purpose for which the land is sought,

respecting the scarcity and special importance of land in the Northern Mariana Islands;

(b) endeavor to obtain the minimum interest in land necessary to accomplish such public interest, acquiring title only if a lesser interest would not be sufficient to serve the public purpose; and

(c) attempt to acquire an interest in public rather than private land whenever the public purpose can be accomplished by the use of such public land.

Section 80[4]. (a) The United States Government will in all cases attempt to acquire any interest in land for public purposes by voluntary means. In the event this is not possible the United States will have and may exercise within the Commonwealth the power of eminent domain to the same extent and in the same manner as it has and can exercise the power of eminent domain in a State of the Union, observing the principles set forth in subsection (a), (b) and (c) of Section 80[3]; provided, however, that in addition to all other requirements of law the United States will not exercise the power of eminent domain to acquire any interest in land within the Commonwealth until the Congress of the United States has by law explicitly authorized and approved the exercise of the power of eminent domain to obtain a particular interest in a particular parcel of land in the Commonwealth.

(b) Notwithstanding the provisions of Subsection (a) of this Section, upon a determination by the President that an

interest in land in the Commonwealth is needed for national defense purposes, the United States may take such an interest in land by eminent domain to the same extent and in the same manner as it can take an interest in land in eminent domain in a State of the Union. No interest in land taken pursuant to the preceding sentence will extend beyond nine months, at the end of which period the interest in land will revert to the original owner thereof, unless the United States shall have obtained an interest in such land under Section 80[3] or subsection (a) of this Section.

Section 80[5]. Except as otherwise provided in this Article, and notwithstanding the provisions of Article V, the Government of the Northern Mariana Islands will regulate the alienation of all public and private real property or interests in such property for the purpose of restricting acquisition of such property or interests to persons of Northern Mariana Islands ancestry and will regulate the extent to which land now classified as public land can be held by individuals.