

DRAFT
October 4, 1974

ARTICLE V

Applicability of Laws

Section 501

(a) The following provisions of the Constitution of the United States will be applicable within the Northern Mariana Islands as if the Northern Mariana Islands were a State of the Union: Article I, Section 9, Clauses 2, 3 and 8; Article I, Section 10, Clauses 1 and 3; Article IV, Section 1, [sentence 1]; Article IV, Section 2; Amendments 1 through 9, inclusive; Amendment 13, [Section 1]; Amendment 14, Sections 1 and 5; Amendment 15, [Section 1]; Amendment 19, [sentence 1]; Amendment 26, [Section 1].

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(b) Future amendments to the Constitution of the United States which do not apply of their own force in the Northern Mariana Islands will become applicable within the Northern Mariana Islands only with the approval of the Government of the Northern Mariana Islands and the United States Congress.

Section 502. The following laws of the United States in existence on the effective date of this section and subsequent amendments to those laws will be applicable in the Northern Mariana Islands:

(a) Except as otherwise provided for in Subsection (b) of this Section and Sections 503, 605 and 1003 of this Agreement, those laws which on that date are applicable to Guam and of general applicability in the several States.

(b) Those laws which provide financial assistance [spell out] or are part of the federal banking laws [spell out] will apply in the same manner and to the same extent as they apply within the Territory of Guam.

(c) Title I of the Public Health Services Act.

(d) The Micronesian Claims Act.

(e) Those laws not described in the preceding four paragraphs which are applicable within the Trust Territory of the Pacific Islands but not their subsequent amendments, unless specifically made applicable to the Northern Mariana Islands. Unless expressly otherwise provided such laws will cease to be applicable to the Northern Mariana Islands upon the termination of the Trusteeship Agreement.

Section 503. The following laws of the United States presently inapplicable to the Trust Territory of the Pacific Islands will not apply to the Northern Mariana Islands except in the manner and to the extent made applicable by the United States Congress after termination of the Trusteeship Agreement:

(a) The immigration and naturalization laws of the United States;

(b) The coastwise shipping laws of the United States, except as they apply to United States Government shipments; and

(c) The minimum wage provisions of the Fair Labor Standards Act, except as they apply to employees and contractors of the United States Government.

providing wherever the law imposing min. wage reg. of U.S. fed. gov. will be applied as in Section 502(a).

[Section 504. The Secretary of Commerce will issue regulations which provide that persons who are nationals but not citizens of the United States and who are domiciled in the Northern Mariana Islands will be considered citizens of the United States for the purpose of such provisions of the maritime and shipping laws of the United States as he deems appropriate.]

Section 50[5]. The President will appoint a Commission on Federal Laws to survey the field of federal statutory laws and to make recommendations to the United States Congress as to which statutes of the United States not applicable within the Northern Mariana Islands should be made applicable and to what extent and in what manner, and which statute applicable should be made inapplicable and to what extent and in what manner. The Commission will consist of seven persons (at least three of whom will be citizens of the Trust Territory of the Pacific Islands who are and have been for at least five years domiciled continuously in the Northern Mariana Islands at the time of their appointments) who will be representative of the federal, local, private, and public interests in the applicability of federal laws within the Northern Mariana Islands. The Commission will make its final report and recommendations to the Congress within two years after the effective date of this section, and before that time may make such interim reports and recommendations to the Congress as it considers appropriate to facilitate the transition of the Northern Mariana Islands to its new political status. In formulating its recommendations, the Commission will take into consideration the effect of potential

effect of each federal law on local conditions within the Northern Mariana Islands, the federal policies embodied in the law, and the provisions and purposes of this Agreement. [Unless the House of Representatives or the Senate adopts a resolution which specifically disapproves all or part of the recommendations made in the final report of the Commission within one year after the final report has been received by the Congress, all or part of the recommendations therein, as the case may be, will have the force and effect of law.]

Section 50[6]. The laws of the Trust Territory of the Pacific Islands, of the Mariana Islands District and its local municipalities, and all other Executive and District orders of a local nature applicable within the Northern Mariana Islands on the effective date of this Section and not inconsistent with this Agreement or with the provisions of the Constitution of the United States or federal laws applicable within the Northern Mariana Islands will remain in force and effect until and unless repealed by the Government of the Northern Mariana Islands.

503

(b) The following laws will apply in the Northern Mariana Islands in the same manner and to the same extent as they apply to the Territory of Guam:

(i) The full range of federal services and programs, generally applicable to the several States and Territories;

(ii) Sections 13, 25 and 25(a) of the Federal Reserve Act, *as amended* (12 U.S.C. 466, and 601-632, respectively) and section 5191 of the Revised Statutes (12 U.S.C. 143);

(iii) Title I, X, and XIV of the Social Security Act.

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