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10 October 1974

MEMORANDUM FOR MR. BARRINGER, DIRECTOR FMRA

Subj: Draft Marianas Agreement - Article 8

1. Under Section 801 title will pass from the Government of the TTPI to the Government of the Northern Mariana Islands upon the termination of the Trusteeship Agreement. Section 802 ff. concerning defense lands is not included in the draft agreement, but its description is in the future tense: "land areas to be acquired...." It is assumed that agreement on the terms for acquisition of defense lands will be reached prior to termination of the Trusteeship Agreement and transfer of title. No other course of action would be consistent with defense interests or with the Public Land Policy Paper of November 1973.

2. Given the assumption set forth in paragraph 1, this Office has no legal objection to Article VIII. The short period available for review has not permitted consultation yet with Mr. Roy Markon of NAVFACENGCOM concerning Section 80[4] and its additional requirements on the exercise of the power of eminent domain. His views are considered essential and we are endeavoring to obtain them.

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