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October 11, 1974

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ARTICLE X

Approval, Effective Dates and Definitions

Section 1001.

(a) The Agreement will be promptly submitted to the Mariana Islands District Legislature for its approval. Within [120] days after its approval by the Mariana Islands District Legislature it will be submitted to the people of the Mariana Islands District for approval in a plebiscite to be called by the United States Secretary of the Interior. All residents of the Mariana Islands who would be eligible to vote in elections in the Mariana Islands District if such elections were held on the day of the plebiscite shall be eligible to vote in the plebiscite. Approval must be by a majority of the valid votes cast in the plebiscite. The results of the plebiscite shall be certified by the Secretary to the President of the United States.

(b) The Agreement will be approved by the United States in accordance with its ~~Constitutional~~ processes.

Section 1002. The President of the United States will issue a proclamation announcing a date upon which the Commonwealth will be established, when he finds:

(a) That the Agreement has been approved as set forth in Section 1001; and

(b) That the people of the Mariana Islands District have adopted a Constitution pursuant to the Agreement; and

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(c) That the Trusteeship Agreement has been terminated or will terminate on the date on which the Commonwealth will be established.

Section 1003. The provisions of this Agreement shall become effective as follows, unless otherwise specifically provided:

(a) Article I, Section 105 [Mutual Consent]; Article II, Sections 201-203 [Local Constitution]; Article V, Section 505 [Commission on Federal Laws]; and Article X [Approval, Effective Dates and Definitions] will become effective upon approval of this Agreement by the United States and the people of the Northern Mariana Islands.

(b) Article I, Section 102 & 103 [Supremacy Clause, self-government]; Article II, Section 204 [Oath of Office]; Article IV [U.S. Judicial Authority]; Article V, Sections 501-504 [Applicability of U.S. Constitution and Laws] and Section 506 [TT Laws]; Article VI [Taxes] and VII [Finance]; Article VIII, section 802 and Section 805 [U.S. Land; Alienation]; and Article IX, Section 902 and 903 [Consultations and Controversies] will become effective 180 days after this Agreement and the Constitution of the Northern Mariana Islands have both been approved.

(c) The remainder of this Agreement shall become effective upon the establishment of the Commonwealth of the Northern Mariana Islands.

Section 1004.

(a) The application of any law of the United States or provision of the United States Constitution which would other-

wise apply within the Northern Mariana Islands may be suspended until termination of the Trusteeship Agreement if the President finds and declares that the application of such law or provision of the United States Constitution prior to termination of the Trusteeship Agreement would be inconsistent with the Trusteeship Agreement.

(b) Any determination of the President that the Trusteeship Agreement is or will be terminated on a certain day will be final and will not be subject to review by any authority of [the Trust Territory of the Pacific Islands,] the Northern Mariana Islands or the United States, including the courts thereof.

Section 1005. The Constitution of the Commonwealth of the Northern Mariana Islands will become effective in accordance with its terms on the same day that the provisions of this Agreement specified in subsection (b) of Section 1003 become effective, provided that if the President finds and declares that the effectiveness of any provision of the Constitution prior to termination of the Trusteeship Agreement would be inconsistent with the Trusteeship Agreement such provision shall be ineffective until establishment of the Commonwealth. Upon the establishment of the Commonwealth as provided in Section 1002, the Constitution will become effective in its entirety in accordance with its terms, as the Constitution of the Commonwealth of the Northern Mariana Islands.

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Section 703. There will be paid into the Treasury of the Government of the Northern Mariana Islands, to be expended to the benefit of the people thereof as the Government may by law prescribe, the proceeds of all customs duties and federal income taxes derived from the Northern Mariana Islands

the proceeds of all taxes collected under the internal revenue laws of the United States on articles produced in the Northern Mariana Islands and transported to the United States, its territories or possessions, consumed in the Northern Mariana Islands, and the proceeds of any other taxes which may be levied by the Congress on the inhabitants of the Northern Mariana Islands, and all quarantine, passport, immigration and nationalization fees collected in the Northern Mariana Islands, except that nothing in this Section shall be construed to apply to any tax imposed by Chapters 2 or 21 of Title 26, United States Code.

Section 704. The Government of the Northern Mariana Islands will submit to the President of the United States an annual report on the administration of the funds transferred to the