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October 11, 1974

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AGREEMENT ESTABLISHING A
POLITICAL UNION BETWEEN THE PEOPLE OF THE NORTHERN
MARIANA ISLANDS AND THE UNITED STATES OF AMERICA

Whereas, the Charter of the United Nations and the Trusteeship Agreement between the Security Council of the United Nations and the United States of America guarantee to the people of the Northern Mariana Islands the right freely to express their wishes for self-government or independence; and

Whereas, the people of the Northern Mariana Islands and the people of the United States share the goals and values found in the American system of government based upon the principles of government by consent, individual freedom, and democracy; and

Whereas, for over twenty years, the people of the Northern Mariana Islands, through public petition and referendum, have clearly expressed their desire for political union with the United States; and

Whereas, the United States supports the desire of the people of the Northern Mariana Islands to exercise their inalienable right of self-determination;

Now, therefore, the Marianas Political Status Commission, being the duly appointed representatives of the people of the Northern Mariana Islands, and the Personal Representative of the President of the United States have entered into this Agreement in order to establish a self-governing commonwealth for the Northern Mariana Islands within the American political

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system and define the future relationship between the Northern Mariana Islands and the United States, recognizing that approval of this Agreement by the people of the Northern Mariana Islands will constitute on their part a sovereign act of self-determination.

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ARTICLE I

Political Relationship

Section 101. The Northern Mariana Islands upon termination of the Trusteeship Agreement will become a self-governing Commonwealth, to be known as the "Commonwealth of the Northern Mariana Islands", in political union with and under the sovereignty of the United States of America.

Section 102. The relations between the Northern Mariana Islands and the United States will be governed by this Agreement which, together with the provisions of the Constitution, treaties or laws of the United States applicable within the Northern Mariana Islands, will be the supreme law of the Northern Mariana Islands.

Section 103. The people of the Northern Mariana Islands will have the right to govern themselves with respect to local affairs in accordance with a Constitution of their own adoption.

Section 104. The United States will have complete responsibility for and authority with respect to all matters relating to foreign affairs and defense affecting the Commonwealth of the Northern Mariana Islands.

Section 105. The United States may enact legislation in accordance with its constitutional processes which will be effective within the Northern Mariana Islands, being guided by its traditional respect for local self-government; but the fundamental

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provisions of this Agreement, listed as follows, may be modified only with the consent of the Government of the United States and the Government of the Northern Mariana Islands:

(a) The Commonwealth relationship between the United States and the Northern Mariana Islands ^{as defined in this agreement} (established under Article I, ^{Northern Islands})

(b) The right of the people of the Marianas ^N to adopt and amend their own Constitution under Article II.

(c) The conditions under which citizens of the Marianas ^N may become United States citizens or nationals under Article III. ^{is}

(d) The application to the Northern Mariana Islands of specified provisions of the United States Constitution under Article V, Section 501.

(e) The procedures to be followed in the exercise of federal powers of eminent domain under Article VIII, Section 804.

[Section 101, relating to the establishment of the Commonwealth;

Section 102, providing that the relations between the Commonwealth and United States will be governed by the Agreement;

Section 103, guaranteeing to the people of the Marianas the right to govern themselves with respect to local affairs;

Section 105 (and Section 106, if any), dealing with United States legislative authority;

Section 201, guaranteeing the people of the Marianas the right to form their own constitution;

Section 202, limiting the authority of the United States with respect to the local constitution;

Section 203(c), dealing with reapportionment in the Marianas;
Section 301, dealing with U.S. citizenship;
Section 302, dealing with U.S. nationality;
Section 303, guaranteeing U.S. citizenship to persons born
in the Marianas;

Section 304, granting to citizens of the Marianas privileges
and immunities of citizens of the States;

Section 501, dealing with the applicability of the U.S.
Constitution;

Section 503; dealing with the applicability of certain impor-
tant laws;

Section 601; dealing with the applicability of the Internal
Revenue Code as to territorial tax;

Section 702, dealing with Phase II funding;

Section 803, dealing with the acquisition of land by the
United States;

Section 805; dealing with restraints on land alienation;

Section 901, dealing with the Resident Commissioner;

Section 1002 (to be revised), dealing with the establishment
of the Commonwealth;

Section 1003, dealing with effective dates;

Section 1005, dealing with the effective date of the Consti-
tution of the Marianas; and

Section 1006(b), defining the term "Northern Mariana Islands".]
[Section 106. Legislation which the United States could not make
applicable within a State of the Union may be made applicable

within the Commonwealth only if such legislation specifically provides that it will be applicable within the Commonwealth and if, taking into account the right of local self-government of the people of the Commonwealth, there is a compelling national interest in the application of such legislation within the Commonwealth.]