

ARTICLE VIII

Property

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 by the Government of the Trust Territory of the Pacific Islands will be transferred to the Government of the Northern Mariana Islands.

Section 802. [Land areas acquired by the United States for defense purposes]

Section 803. [Terms and conditions of land transfer to include disclaimer of present U.S. intent to acquire more land for defense purposes.]

Section 804. Except as otherwise provided in this Article and notwithstanding the provisions of Article V, the Government of the Northern Mariana Islands, in view of the importance of the ownership of land for the culture and traditions of the people of the Northern Mariana Islands and in order to protect against exploitation and promote economic advancement and self-sufficiency, will regulate the alienation of interests in real property other than leases so as to restrict the acquisition of such interests to persons of Northern Mariana Islands descent and will regulate the extent to which land now classified as public land can be held by individuals.

Section 805. If the Government of the United States must acquire any interest in real property if not transferred to it under this Agreement, it may, upon prior written notice to the Government of the Northern Mariana Islands, acquire for public purposes in accordance with United States law and procedures any interest in

real property in the Northern Mariana Islands, whether owned 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 mutually agreeable.

The United States will:

(a) By careful and reasonable selection seek to acquire only the minimum area of land necessary to accomplish the public purpose for which the real property is sought, taking into account the scarcity and special importance of land in the Northern Mariana Islands;

(b) Seek that minimum interest in the real property necessary to support such public interest, acquiring title only if a lesser interest would not be sufficient to satisfy the requirement.

(c) Seek first to satisfy the requirement by acquiring an interest in public rather than private real property.

Section ~~806~~.

(a) Except as provided in Subsection (b) of this Section the United States will not seek any interest in real property unless the Congress of the United States has both authorized the proposed project and provided funds therefore. Any interest in real property acquired pursuant to such Congressional action will be by voluntary means where possible. The power of eminent domain will be exercised within the Commonwealth only when voluntary means fail, only to the extent necessary, in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and with full recognition of the due process procedures required by the United States Constitution.

(b) The minor land acquisition authority of Title 10, United States Code, may be exercised within the Commonwealth to the same extent it is available within any State of the Union.