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STATEMENT OF THE INTENTION OF THE NEGOTIATING
PARTIES WITH RESPECT TO THE AGREEMENT TO ESTABLISH A
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN
POLITICAL UNION WITH THE UNITED STATES OF AMERICA

The following is a statement of the intention of the negotiating parties with respect to certain provisions of the Agreement to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, signed by the Marianas Political Status Commission and the President's Personal Representative in Saipan, Mariana Islands, on _____, 197_.

Section 101.

The negotiating parties considered it unnecessary to state explicitly in the Agreement that the Government of the Commonwealth and its predecessor, the Government of the Northern Mariana Islands, will have sovereign immunity, and will not be considered an agency or instrumentality of the United States Government.

Section 102.

The supremacy clause contained in this Section is modeled on the supremacy clause of the United States Constitution, and the negotiating parties intend that the relation-

ship between the Northern Mariana Islands and the United States delineated by this clause be comparable to the relationship between the States and the United States delineated by Article VI, Clause 2 of the United States Constitution.

Section 105.

With respect to those provisions which cannot be altered without mutual consent, as provided in this Section, it is understood that an act by either Government in contravention of such a provision would be a de facto attempt to alter the Agreement and could not successfully be accomplished without the permission of the other Government.

As used in Article I, as elsewhere, the term "Northern Mariana Islands" in a geographic sense refers to the area described in Section 100[6](b). The inclusion of the provisions of Article I in the mutual consent list, then, has the effect of guaranteeing the territorial integrity of the Commonwealth. The geographic boundaries of the Commonwealth cannot be altered without the consent of both the Government of the United States and the Commonwealth of the Northern Mariana Islands.

Section 202.

This Section states the entire amount of the authority of the United States with respect to the Constitution of the Northern Mariana Islands, except for the power of the