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I. Citizenship

A. State Marianas proposal:

1. Provide citizens of the Marianas with alternative types of options to become U.S. citizens. Under first option people of the Marianas would become U.S. citizens automatically (or through taking a simple oath). Those persons who did not wish to become U.S. citizens could elect to become nationals by taking affirmative action (in the case of automatic citizenship) or by failing to take the simple oath. The second alternative would be set up so as to make all citizens of the Marianas presumptively U.S. nationals unless individuals take affirmative action to become U.S. citizens. Under this alternative the option of U.S. citizenship would be available but would be slightly more burdensome than would be the case under the first alternative involving the taking of a simple oath.
2. Marianas Commission has proposed that the basic alternatives with respect to the citizenship option be presented to the people as a whole in a referendum.

B. Questions:

1. To whom is the option available?
2. How would eligible Marianas residents become U.S. citizens under either alternative?
3. How would eligible Marianas residents become U.S. nationals under either alternative?
4. Are there any administrative complexities or objections with respect to either alternative?

II. Mutual Consent

- A. How to secure ~~xxx~~ mutual consent from the Marianas (we assume U.S. Congress can give consent for U.S.). It is the tentative position of the Marianas Commission

that this matter should be left up to the local Marianas constitution. ~~Thusxxxxxxx~~ Does the U.S. have any specific proposals to the contrary?

- B. What provisions of the status agreement will be covered?
1. The applicability of certain federal laws may be covered.
 2. How do we identify other fundamental aspects of the ~~xxxx~~ relationship? (What did the U.S. delegation have in mind when it stressed that we should be very sparing in applying the mutual consent requirement to provisions of the status agreement?)

III. Maximum Self-Government

- A. The Joint Communique directs the Marianas to study the tension between maximum self-government and Article IV.3.2. Also the Joint & Legal Subcommittee is to study the question of general provisions regarding the applicability of U.S. laws.
- B. In an effort to explore ~~xxxx~~ both of these issues constructively, we would like to submit a "talking proposal" to the effect that the status agreement will provide ~~xxxx~~ that congressional authority in the Marianas will be coextensive with federal authority in a state.
- C. We would like to explore with the U.S. whether there are any legitimate U.S. ~~xxxx~~ federal interests that would be preserved by such a formula governing the scope of federal authority in the Marianas. Specifically it would be helpful if the U.S. could undertake to identify examples of federal action in the territories in the last several decades that would not have been authorized had those actions been ~~xxxx~~ taken in a state.
- D. We are not asking the U.S. at this time to agree to the constitutional validity of our proposal nor to its political acceptability to the Congress. Rather, as a technical matter we wish to identify what we would consider extraordinary U.S. interests that ought to be specifically ~~xx~~ provided for in the status agreement so as to ~~xxxxxx~~ clarify the resultant or remaining area for local self-government.

IV. Applicable U.S. laws.

A. Application of fundamental U.S. ~~laws~~ laws.

1. The Joint Communique identifies a number of U.S. laws that we are exploring with an eye to a provision in the status agreement that would provide for their application, lack of application, or ~~a~~ special application in the Marianas. With respect to such laws as ~~are~~ are identified as fundamental, the mutual consent provisions would be applicable. Does the U.S. have any additional laws that it would suggest ~~xxx~~ adding to our list ~~x~~ of laws to be studied?
2. We propose to study these laws and report on any that we consider potentially fundamental and to propose the manner in which ~~they~~ they should be made applicable or inapplicable in the Marianas. Does the U.S. have any views on the manner in which we should approach this question? Does the U.S. have any suggestions on how they might be of assistance in our studies?

B. Application of remaining body of federal laws.

1. How to handle mechanically.
 - a. General provision in the status agreement
 - b. Specific omnibus legislation
 - c. Timing (n.b. Guam Commission experience)
2. Guidelines for applicability of future federal laws -- provision for determining Congressional intent in the absence of specific application to the Marianas.

C. Questions for U.S./computer.

1. Identify laws presently applicable in the Marianas.
2. Identify additional laws presently applicable in any other territory.
3. As to both lists are there any laws that the U.S. would not want to apply in the Marianas (after termination of the trusteeship) as a matter of course? Are there any that the Marianas should object to?

4. Identify any additional major legislation (during the past 10 years?) that has not been applied in any territory but could be applied in the Marianas ~~xxxxxxx~~ if they wanted it.

V. Applicability of constitutional provisions

A. Privileges and immunities clause/land alienation problem.

B. Other provisions -- we will propose

VI. ~~xxxxxxx~~ ~~xxxx~~ Implementation of federal ~~xxxx~~ court system in the Marianas and relationship to local courts

VII. Five-year review provision in the status agreement.