

October 16, 1973  
Marianas Counter-draft

*no best effective date*

*07*  
*3.5*

UNITED STATES CITIZENSHIP AND NATIONALITY  
IN THE MARIANAS

*don't want adult children not domiciled in MF*

(a) The following persons, and their children born before the date of termination of the Trusteeship, who are not citizens <sup>or Nationals (HM)</sup> of the United States under any other provision of law, and who have taken no affirmative steps to preserve or acquire foreign nationality, are declared to be citizens of the United States;

(1) All persons born in the Marianas who are citizens of the Trust Territory of the Pacific Islands on the date of termination of the Trusteeship, [and who on that date reside or are legally domiciled in the Marianas or in the United States, the Virgin Islands, Guam, the Commonwealth of Puerto Rico or any other possession or territory of the United States;]

(2) All persons who are citizens of the Trust Territory of the Pacific Islands on the date of termination of the Trusteeship, and who have been legally domiciled continuously in the Marianas <sup>since Jan 1, 1974 (HM)</sup> for at least five years immediately prior to that date; and

(3) All persons <sup>having no claim to foreign nationality</sup> who were lawfully residing <sup>and</sup> as permanent residents of the Trust Territory of the Pacific Islands <sup>since Jan 1, 1974</sup> at least five years prior to the date of termination of the Trusteeship, and who have been legally domiciled

*We don't want to include those of foreign citizenship*

continuously in the Marianas <sup>since Jan 1, 1974</sup> for at least five years immediately prior to the date of termination of the Trusteeship.]

(b) Any person who becomes a citizen of the United States solely by virtue of the provisions of paragraphs (1) through (3) of subsection (a) may within six months after the date of termination of the Trusteeship, or within six months after reaching the age of eighteen years, whichever date is the later one, make a declaration under oath before a court in the district wherein he resides in the form as follows:

"I . . . being duly sworn, hereby declare my intention to become a national but not a citizen of the United States."

Any person who makes this declaration shall be a national but not a citizen of the United States; provided further, that any person hereinbefore described who, within the period allowed for making the aforesaid declaration, shall have taken any affirmative steps to preserve or acquire foreign nationality, shall not be a citizen or national of the United States. —

*Handwritten notes:*  
H W  
Wani  
"Complete"  
English

(c) (1) All persons born in the Marianas on or after the date of termination of the Trusteeship, and subject to the jurisdiction of the United States, shall be citizens of the United States.

(2) Any person who becomes a citizen of the United States at birth after the date of termination of the Trusteeship, and who is born of parents either [both?] of whom had a right to become a national but not a citizen of the United States in the manner provided in subsection (b), shall also have the right to become a national but not a citizen of the United States by making a declaration, within six months after reaching the age of eighteen years, in the manner and form provided in subsection (b).

*do we want to perpetuate them?*  
yes

(d) Notwithstanding the foregoing, persons residing in the Marianas after the date of termination of the Trusteeship shall have a right to become naturalized citizens of the United States to the same extent as persons similarly situated but residing in a State; for purposes of satisfying any residence or physical presence requirement under the nationality and naturalization laws of the United States, residence or physical presence, respectively, in the Marianas after the date of termination of the Trusteeship shall qualify to the same extent as residence or physical presence, respectively, in a State; the courts of general jurisdiction established under the Constitution of the Marianas shall have jurisdiction to naturalize persons as citizens of the United States in accordance with applicable law.

*why not?*