

- A. Based on precedent of formation of Federal Union.
 - 1. Government of limited powers
 - 2. Sovereignty lies with people; governments exercise sovereign powers to the extent people give certain powers to the government.

- B. Enforceable under split jurisdiction analogies
 - does not tamper with constitution
 - is a responsive solution
 - at bottom, U.S. simply never obtained power over local affairs

- C. Meets legitimate interests on both sides.
 - 1. Marianas cannot hope to have more autonomy than states -- except in specified areas of legislation
 - 2. U.S. has no legitimate interest in greater power
 - Marianas under U.S. sovereignty for international purposes
 - all "national" interests protected
 - republican form of gov't clause is ultimate weapon against local abuses
 - U.S. will retain power of purse in early years
 - ultimately the people have constitution to protect themselves against abuses of local gov't
 - 3. Such an arrangement may be necessary to satisfy U.N.

- D. Can be accomplished without inflammatory language or ambiguity. Critical elements are:
 - 1. Status agreement recites that U.S. recognizes Marianas approval of agreement as an act of self-determination of sovereign people of Marianas
 - 2. Agreement recites that people cede all power and authority that Federal gov't possesses in states to U.S.
 - 3. Agreement recites that all other power is reserved to people and, through local constitution, for Commonwealth government (like 9th and 10th amendments)