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Could we discuss this tomorrow evening? J! file

OUTLINE OF MEMORANDUM ON MAXIMUM SELF-GOVERNMENT FOR THE MARIANAS

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[Intro.]

1. Status of Negotiations
 - (a) Areas of agreement
 - (1) Maximum self-government
 - (2) Local constitution
 - (3) Mutual consent
 - (b) Open: 4-3-2
(also "sovereignty")
2. Problem: not to decide which laws apply but to map out broad areas of authority; specifically, to provide adequate assurances of self-government
 - (a) "Self-government" in American system means power of states over local matters (recognizes areas of national concern) -- we may make specific exceptions but these must be limited
 - (b) "Adequate assurances" of self-government means: Federal interference in local affairs would be declared void by a Federal court.

(Perhaps, a political settlement, as in Puerto Rico will suffice. If so, we could probably improve on specifics of Puerto Rico status arrangement.)
3. Discussion below attempts to put problem in focus, suggest preferred solution and fall backs, and to set forth a negotiating strategy for the next round.

- I. Article IV, Section 3, Clause 2 and Federal Power in the Territories and the Commonwealth of Puerto Rico
 - A. 4-3-2 and the inherent right of sovereign to govern territory -- the extreme view
 - B. Application of 4-3-2 in Guam, V.I. and unincorporated territories generally.
 - C. The Puerto Rico experience.
 - D. Practical problems for the Marianas