

MEMCON

Participants:

Mr. Howard Willens
Mr. Michael Helfer
Mr. Bob Kelly

Mr. James M. Wilson, Jr.
Mr. Herman Marcuse
Mr. Andre Surena
Mr. Adrián de Graffenried

Date: 25 July 1974, 10:30 a.m.

JW: Other topics first.

1. Land committee

-- All MPSC members *present plus Surena, Santy, Wilson & Willens*

-- Good Session

-- Terms of Reference *agreed*

-- Agenda

A. Mechanical survey to establish def. boundaries then line adjustment; most important factor needing immediate attention.

B. Use/lease back

C. Method acquisition/fair market value (Discussed procedural method to determine MV. MPSC desired to hire experts; U.S. outlined complex procedures mandatory for USG if appraisal technique followed.)

-- Convene Next: First part of August in Honolulu for preliminary conference (most U.S. experts in Hawaii, but problem is money if Ad-Hoc Committee does not have sufficient funds) then move to Saipan; *to be finalized in Saipan*

HW: MPSC experts now on board, now determine fair market value; probably won't determine until mid-September.

JW: Very late considering JCFS/U.S. agreement on draft compact in Guam and JCFS desire to have Marianas vote on it before JCFS recognize separate negotiations, so time is of the essence.

HW: U.S. ^{want} desire vote on commonwealth agreement prior to COM action?

JW: If possible.

HW: Could be faced with having to put both status alternatives to the people. Does U.S. have a position.

JW: MPSC does not desire this approach but no ^{legal} U.S. position ^{is necessary}.

HW: MPSC may be responsive to U.S. views - so need U.S. views, especially on separate administration.

JW: Discussed separate administration with E. Pangelinan on Guam. ^{NO}

Separate administration prior to November elections ^{will} may raise issue of Marianas representation in COM and problems in Marianas of local selection of delegates for November races. Pangelinan/Santos ^{as} not want a separate referendum on a separate administration, but only ¹ referendum to determine everything. They both felt strongly that vote on status for Marianas should come prior to convening of COM constitution which may be scheduled for April '74.

Minimum time between ^{the start of complete agreement} constitutional convention and plebiscite would be 3 months. So ^{is there?} push for early agreement on status ^{Santos & Pangelinan would feel Plebiscite} can't avoid November elections. So, Marianas ^{would} not have separate administration until ^{on this basis} separate plebiscite held ^{participation in final agreement}.

HW: ^{Real} Are separate considerations. We all want agreement before end of year. But market values are sensitive, important to client and a couple extra weeks are needed. This may ^{be} push things into first of October for next meeting.

JW: October is problem ^{So have to meet in November if not September}.

HW: Well what can be accomplished at next meeting depends on our lawyers group. Maysself & J. Leonard may get involved in next land meetings. Can U.S. advise whether both status agreements have to be put to Marianas simultaneously?

JW: No, ~~don't have to be~~ ^{but his} ~~is~~ ^{mean} just JCFS desire, ^{position}

HW: Need not both be on ballot?

JW: Correct, ~~what will be on ballot~~ ^{1311 - In discussion at next JCFS meeting} U.S. thinking since Carmel is that ^{Sollitt}

a successful vote on commonwealth will resolve matter of whether to include free association. ^{But his position seems to be shifting toward having the} Will have to resist JCFS desire, to have Marianas vote on free association ^{Complex} either simultaneously or before ^{their vote on commonwealth}

MH: Any anticipation of timing on plebiscite for free association?

JW: No conclusions as yet. ^{Question} Issue is whether to vote on COM constitution first or status agreement ^{vote on both together}

MH: Why need to have plebiscite in Marianas first.

JW: ^{Marianas leaders say they} Need to have determination of Marianas status prior to constitutional convention.

HW: Next ^{reschedule} session be 2-3 weeks?

JW: Hope it will be a "windup" session.

HW: Agree

JW: Depends on outstanding issues.

HW: Outstanding issues could require another 2-4 weeks.

JW: Also is tight due to fact need to have Marianas District Legislature pass on agreement.

HW: That's right, it is tight.

Agenda Item 5(b)

JW: Seems group got down to item 5(b) so lets start here.

HW: How to handle outstanding issues? Perhaps M. Helfer - Herman Marcuse could establish such a list.

MH: Will send over a list to U.S.

HW: U.S. draft has a formula for applicability that will come into effect upon termination of trusteeship agreement or earlier by President.

MPSC Concerned about:

1st - Why U.S. President discretion to determine ^{zone} ~~UN factor?~~ *what will apply & what won't?*

JW: ~~No problem with U.N.~~ *This is US & responsibility*

HW: 2nd - Financial aid laws. Great bulk of U.S. applicable laws which form basis for MPSC Phase II levels. If delay application, then need to ^{adjust} reuse these levels.

3rd - Need early resolution of ^{allocation of powers between} Federal Government and GOM as soon as possible via regulatory laws application.

JW: Not far apart at all. U.S. felt at beginning that USC approval and new constitution approved and new GOM ready, U.S. would go into Phase II.

All of GOM would be effected that would be consistent with Trusteeship Agreement. ^{new} So ~~problems~~ *can't call it* a commonwealth, no U.S. citizenship, etc. So, ^{this is} ~~Title II~~ the basis for U.S. Presidential discretion. This is not arbitrary, will discuss. All done probably by Executive Order, a technical difference from Secretarial Order. HM to discuss other problems of concern.

HM: Have discussed some applicable federal laws U.S. has problems with U.S. citizenship. Protection of land interests versus Trusteeship Agreement to protect against alienation of lands.

HW: Are concerned with applicable federal laws, *not back into US.*

HM: Yes, but this is part of the problem. Would hesitate to apply federal laws that evidence sovereignty. No problem with financial grants. Some problems with administrative statutes.

MH: Need to identify those laws that won't apply.

JW: General rule, everything should apply that can - need to identify exceptions.

HW: Agreed on goal - but need to identify exceptions for clients. Some concern that you can accomplish all of Phase I goals in 2 years. Need to find some interim formula with an acceptable *compact* For exemptions or some mechanism that will determine the exemptions. If a mechanism, need to establish as soon as possible.

JW: Don't disagree, but there is a practical problem of whether you want an executive commission *to determine all laws* or approval by USC. *via general formula.*

MH: There are 2 different methods: _____?

JW: Looked at *more simply*. U.S. looked at an "interim" formula to apply laws then commission would review over long-term all laws to be applied. If this used, could still find specific exceptions to this applicability formula.

HW: Agree with this as a goal. MPSC conclusion that formula should be more than "interim" and could make more permanent and put into status agreement. Interim formula would continue in effect after termination with exceptions?

JW: Yes, need to identify those statutes that would not apply until end of Trusteeship. There are a lot of statutes.

MH: Have interim formula but give U.S. President to decide that certain laws cannot be applied until end of Trusteeship Agreement. This would give standard of review and assure MPSC.

JW: This is what U.S. had in mind.

HM: Could clearly provide application of financial laws.

MH: Yes.

HW: U.S. needs more flexibility and time than schedule permits. MPSC would like assurances as soon as possible but this is something U.S. would be working on during Phase I. i.e., should whole body regulatory laws apply (antitrust, food drugs, FCC, FAA) prior to termination?

JW: If applicable in Trust Territory at present, would apply.

HW: U.N. might look at this and object if all applied. We are talking about 2-3 years during which laws would apply.

JW: Case in point is selective service act. Making Marianas subject to it would be difficult.

AS: Making exceptions requires flexibility.

MH: U.S. President would have flexibility.

JW: Standard for USG. ^{not} Applying would be to avoid conflict ^{with} obligations of Trusteeship Agreement.

MH: Reviewable in court?

AS: Would be.

JW: Would be extremely limited.

HW: Under MPSC approach - all laws apply unless positive act of President, under U.S. no application until President act.

HW: Do we need to review "Review Commission"?

JW: Issues are composition, when to meet, what to do.

MH: When to come into exist U.S. - at end of Trusteeship Agreement, ^{cc:} but, ^{MSC - 1/22} in line with discussions here, lets do sooner. Both versions call for Presidential appointments.

HW: Need to have recommendations ^{of the Commission on applicable laws} at time of termination not afterwards.

JW: U.S. will rethink.

HW: Need to have ^{statutory list} presented to USC and resolved before establishing Commonwealth.

JW: Prefer to have Review Commission established during Phase I and better to have them recommend to USC. USC can't react until they know how GOM will be established.

HW: Some official agency should be charged with handling these recommendations.

HW: MPSC would not want U.S. Government employees. Concerned that Commission should be composed entirely of U.S. employees; want outside diversity of views represented.

HM: Will Commission be important?

HW: May not be, depends on work done on interim formula. This is really a fail safe device to get US laws extended to Marianas which MPSC want

HM: Since package will be small - much smaller than Guam - USC should accept its recommendations.

HW: Can't have a formula without some safeguards (Review Commission) in light of experience with Guam. On the formula, some of the questions raised are the numerous exceptions.

MH: Put internal revenue laws aside.

JW: Agree

BK: U.S. should reply to MPSC approach

JW: U.S. would prefer to apply laws of Guam. We had not included exceptions because we had not heard from MPSC. Also continue application of TTPI laws if a conflict between them and those extended to Guam.

HW: No significant law applicable under formula that doesn't apply now to Marianas under TTPI.

JW: Correct

BK: Found laws that apply to Guam are those USC extended to TTPI.

MH: Grant Laws primarily extended to TTPI.

JW: Worried about those applied exclusively to TTPI and not Guam. Should continue to apply to Marianas.

HW: No laws exclusively for TTPI.

ADG: Are some federal laws enacted exclusively, ^{in TTPI} i.e., Micronesian Claim Commission.

JW: True, ^{these} this would be need to get a definitive list of laws applied only to TTPI and not to Guam.

HM: Have some applied differently between Guam and TTPI, i.e., pollution laws.

JW: Lets put question mark around this.

HW: Lets then get BC memo to list those applied to Guam - those applied to TTPI and which should be extended to Marianas.

What about Orders of Executive?

JW: Problem is one U.S. is going to have to address. Will have AdeG confer with BC on this matter. U.S. has 2 considerations on exceptions: (1) USC; (2) if an exception for Northern Marianas where laws apply to Guam then problem of administration, i.e., Jones Act, does apply to Guam. U.S. is sympathetic to MPSC position and notes Won Pat's call for same treatment. Yet, is a problem if don't have Guam and Marianas same, ^{a really} tremendous problem.

MH: Only a few areas where Marianas would be treated differently from Guam: (1) minimum wage laws -, apply to Guam - don't want for Marianas; (2) public health service - not apply to Guam - want for Marianas. (these are not regulatory, but financial).

BK: Also note that Homestead applies in Puerto Rico - Virgin Islands but not in Guam; want for Marianas.

MH: Would be serious dislocations in local economy if federal minimum wage laws.

HW: Many felt that this statute meant it was a guarantee rather than what it really is. ^(adjustable commission device) If we can find a way to have the commission undertake task or have delayed, like immigration, until end of Trusteeship Agreement.

JW: Will have to get USC reading and U.S. executive branch readings so lets come back to exceptions.

MH: As to interim formula, the two formulations are similar but some language changes. What is U.S. understanding?

HM: MPSC appears to eliminate statutes that relate to commerce within a territory. U.S. not want originally and ^{we still} have agreed.

JW: Need to draft language.

HW: Need also a new exception providing for Presidential exception.

JW: Need to keep as simple as possible for USC approval. Lets get differences set out and try to agree on some present language. Lets draft that we have agreed to and have a double column split where we disagree. Leaves some very important items.

MEMCON

Participants:

J.M. Wilson, Jr.
Herman Marcuse
Andre Surena
Adrian de Graffenried

Howard Willens
Michael Helfer
Erica Ward

Date: July 31, 1974

Time: 10:15

JW: Two items discussed since last week.

- A. Points for further resolution
- B. Interim application of laws formula

MH: List ^{TC} issues for further resolution which were postponed during JM absence - not all inclusive of current outstanding issues. *[list attached]*

JW: #1. *whether the President or the U.S. Congress is to approve the Marianas Constitution. US originally proposed without then altered MPSC idea that USC might also review. What is the original US why?*

HW: ^{MPSC is} Concerned ^{with (a)} formal approval by USC regarding ^{USC} chances of ^{USC} changes in Constitution.

(b) Potential for delay; want to move expeditiously for new Marianas government. U.S. Presidential approval expedite ^{Do} process. Recognize interests of USC ^{however,} so suggested waiting ["] formula after which U.S. President acts if USC doesn't.

JW: Some USC interests, ^{on approval} no definitive judgment of USC however. ^{WE} Prefer Executive Branch, ^{US} so Presidential ^{approval} ^{will} ^U ; consult more fully, however, with USC and proposed ^{we adjust} at time of consultation, the "period of waiting" formula proposed by MPSC.

HW: ^{Can} USC distinguish between status agreement and constitution ^{approval?}

JW: Can't say.

MH: Agree to draft formula?

JW: Yes, subject to ^{USE} consultation.

HW: Problem is getting USC to focus on issue at present

JW: Need to draft ^{to} 2 alternatives: (1) Straight U.S. Presidential

approval; (2) Waiting period (30 days) clause.

HW: ^{also} Need an "unless" clause to trigger President action ^{for the "waiting" period}

HM: Don't want "unless" clause but ^a pure time clause (30 days)

AS: ^{to} "waiting" clause essentially a consultation process.

MH: Yes, would permit US President to check with views of US Congress ^{activity}

JW: ^{It is} #2. ^{manus} approval by its Constitution.

HW: ^{True} Time, constitutional convention ^{will} be a ^{politically} responsive instrument,

but may need more than 1 constitutional convention. ^{- to set true local views} Recognize USC concerns

on PR constitutional convention and hope USC less concerned if review both ^{status}

^{document and Constitution} at same time.

JW: U.S. Article IV ^{is drafted} more elaborate; ^{where} USC review 1st them go to

people. U.S. reviewed, in light of approval process for ^{full association} status agreement

and having ^{Commonwealth} status plebiscite prior to submission to USC. So, USC may insist

on knowing ^{form and structure of} local ^{documents} government prior to giving approval and might

insist on seeing both ^{at same time} or having a local constitution to look

at before approving status. So, let's do plebiscite 1st prior to going to

USC with constitution.

HW: (c) ^(regarding whether Constitution Convention prior to USC review of status agreement) obviously answered in affirmative then.

JW: Yes. ^(reflecting purpose of Commonwealth Constitution before end of Treaty)

MH: (d) ^{interim applicability?} same is ^{of US laws}

JW: Yes and can drop (e), U.S. won't insist.

HW: This brings us to Wasington Reg. What is US view

We have
JW: 2 problems!

(1) Procedural with considering ^{able} political ^{to} overruns - (whether we should attempt to get into USC ^{providence} by putting into status agreement; or whether USC should handle on its own.)

(2) Substantive problem is what to include in the approach ^{to} USC.

HW: Both sides received same message - no ^{USC} representation for Marianas.

MPSC draft gave a non-voting delegate then ^{a voting} delegate upon "X" level of population. On procedures - MPSC feels appropriate to have ^{represent} in Washington Rep. in status agreement; U.S. Executive intrusion into USC domain can be handled by noting that U.S. ^{is only} agreeing subject to USC review or in alternative ^{that says} fall back to ^{has} saying U.S. agreed to support MPSC desires before USC ^{in its judgement} MPSC wants in draft agreement ^{agreement} look at as a Magna Carta for Marianas. MPSC wants to know if U.S. has approach ^{ed} USC on this issue of rep. in USC, and want ^{referred} consideration by USC.

JW: 2 comments - (1) ^{this} is a subject to be treated as part of whole ^{status} arrangement and recognize Marianas wants an answer before they vote; (2) don't want to put in agreement something which will kill it; could have exchange of letters confirming ^{US} support; or, letter to USC on this giving support to MPSC desire. Need to consult with USC on substance and how ^{they want} to handle on substance, ^{US} is sympathy for rep. when local population reaches level as say in VI; also, USC may want to put Guam and Marianas together in future and if ^{is} a separate rep. for Marianas and for Guam may note to USC that this is an obstacle ^{in unification}.

HW: Per original MPSC ^{draft} draft, Marianas would be rep. by Guam but MPSC ^{they} rejected; ^{approach} wanted an America Samoa rep. rather than share Won Pat. ^{we know} Want MPSC to reconsider if USC can note they ^{Marianas} could share Won Pat until X population and own rep. ^{and then have}

This Postell issue

and they receive a level of representation,

HW: ^{we propose,} Is true; if Marianas reaches 50-60,000 ^{and} a separate rep. could act as a barrier; ^{representative} would like to present alternative to MPSC that ^{Marianas} could share Guam until future date.

JW: U.S. executive has been sympathetic to MPSC desires. Think best approach is ^{to} put ^{it} squarely to USC to see if they could accept MPSC approach.

Won Pat has been approached, and chuckles in a friendly fashion.

MH: ^{we} Don't want Won Pat to find out ^{about this approach} from Chairman - would want him to find out from USG. ^{so as to get him on our side.}

JW: Agree - we have good relations with Won Pat, ^{so there is no problem.}

HW: Problem is how he could represent differing interests between Guam/Mariana Islands

JW: Same problem ^{a US Representative has} with Carson City and Reno.

HW: ^{we} Need to have our MPSC Chairman spend some time on hill and ^{set} them across the table ^{from the US Representative's} to see if the USC will deny ^{representation to the Marianas.}

JW: Lets put this on a special consultation ^{hearing.}

HW: ^{is there} A need for America Samoa type rep. ^{to be a part of the status agreement?}

JW: No problem.

HM: America Somoa procedure is not to have anything in agreement.

HW: But MPSC wants in agreement. ^{Relieve Samoa for its representation}

AS: Isn't basic difference ^{between A. Samoa and Marianas} rights on hill ^{and MPSC approach the same?}

HW: No more rights on hill than I do.

JW: ^{Doesn't} America Samoa have a special statute?

MH: Early ^{in PR history, President Commission} PR history, ^{was recognized in one of the original} acts (in early 1900's) ^{got letter from Gov. certifying} got letter from Gov. certifying ^{MPSC will check.} MPSC will check.

JW: Land alienation issue; this may be one we ought to "split" ^{to be}

(noting differences in approaches) since MPSC ^{is} not want to be required ^{to} include ^{such} ^{Constitution.}

that will specify
MH: Want a provision *specify* permit vice require Marianas Government to regulate land alienation.

HW: U.S. seems to look for a commitment by Marianas leaders they will support such restriction. If this is true could do outside by *exchange of letters*.
But, if U.S. doing *this* due to USC reactions, MPSC feels USC *will* not want mandatory provisions today as they did 10-15 years ago. *this* is legal *by* contrary to U.S. experience.

MH: Difficulty is (1) growth of Marianas where not advisable to have land restrictions and (2) *whether local authorities have rights to make their own decisions on this sensitive matter.*

HW: If mandatory, should be only for a fixed period of time because the requirement is *paternalistic*. *agree we* want to prevent in Marianas what is *happening in Guam/Hawaii*; *but only force them to act for a certain period.*

JW: *problem* Aside from liberal tendencies of USC members, is that some Marianas residents may otherwise wake up *and find* they have lost their birthright.

HW: How can Japanese investment Guam reduce dep. on USG? *what are US's* problems?

JW: *Several: people put pressure to* (1) take over public *land* for private use (2) depriving local people of means of livelihood by *loss of public land* and an increase in U.S. grants *to support*

MH: Loss of jobs may have to do more with immigration *through speculation calls* than loss land.

JW: *watch how well that* Fong gave U.S. Tong lecture about *foreign investments*.

HW: Mink dubious about Hawaii public land approach.

JW: Burton adamant; *he* is behind *the* mandatory requirement.

HW: How about a "time duration" *clause*?

JW: Is new, *OS* will consider.

AS: Don't understand MPSC views. *why the MPSC is against it*

MH: As economy becomes more sophisticated *new ways to hold wealth*, *may want to own corp. shares in lieu of land*; on Guam, problem is selling *land* for too low a value.

Vertical text on the right margin, possibly a page number or reference.

JW: U.S. will think about MPSC "time" approach for requiring Marianas restrictions *on land alienation,*
On drafting, *does* MPSC want to include *still* a provision in constitution or *secret restrictions* through local laws.

MH: MPSC draft contains both.

HW: Recommend be in Constitution.

JW: How about soft approach for inclusion into *Commonwealth* constitution. Is really up to Marianas whether they want in constitution or regulate through local laws.

HW: As to #2 of land issue, could agree *well* it is against U.S. legal tradition, especially if *well* a "right winger" in *US Congress*.

JW: Is same argument as Hawaii land act.

HW: Don't want it in Constitution, would have M.L. Authority control and restrict; thus want *public land alienation issue handled* outside agreement as is now being done. Any strong USC input? *Return of public lands*

JW: Strong USC sentiment in favor of *requiring to be put into states agreement*

HW: Believe they are more flexible. *than this indicates.*

HW: *Real* Problem is keeping public land from being chewed up into small *holdings* via homesteading.

JW: *This* Issue is normally considered "internal matters" outside preview of USC, so should be addressed here in the agreement *which will be reviewed & approved by Congress.*

HW: U.S. satisfied with just recognition that Marianas will regulate; *there appears to be* and no problem with having any limitation?

JW: Yes, *we would be satisfied with that, otherwise it is* up to Marianas to determine exact extent of land holding.

HW: Exact regulations would be in MLA charter.

JW: Thing to do is draft with a "split" approach; U.S. will go back to USC with it.

to USC
HW: U.S. should note that MLA charter will address this issue.

JW: OK

JW: 1 man, 1 vote problem; not sure Marianas concerns are clear.
Understand Tinian and Rota concerns, but how to translate *about Saipan domination* *them* *practically?*

HW: Rota and Tinian *me* *are* concerned that Saipan majority would have disproportionate influence; some separatist feelings and some legal risks to having an upper house based on a non-population basis. *eg. court overruling this.*

JW: *MPSG legislative structure*
Proposal would be bicameral?

HW: Wouldn't want to specify address in *status* *results* agreement. Is a problem, e.g. 1 representative from Tinian in MDL, yet he rep. only 680 vice 10,000 in Saipan. This is an internal matter for Marianas Constitution to address, *we* only want to preserve that option *for them to resolve.*

AS: If we had this, *exception* almost certain USC would want to review Marianas constitution.

HW: Hadn't thought of this. Is a good point.

JW: Problem is too much gov. *structure* for TTPI *at present.*

HW: True; simplest problem *is to ignore*, but then Tinian/Rota may

feel ignored so that they may insist their concern must be protected. *in the*

JW: Our problem is USC, *this* has not been discussed.

HW: *like 2. case:* Reynolds & Sims *Lucas v. Colorado* provide the basis; *to our exception* (1) no independence right for rep. by co. in a state legislature; as state is sovereign and can alter alignments of boundaries and (2) *States have authority to determine structure of representation in state legislature.*

JW: "At large rep." as Guam - *2 result*

MH: Rota - Tinian have no rep. *what about on Rota/Tinian designs?*

JW: Maybe, maybe not.

HW: Want either an upper house *on a population basis* or a single house that gives more rep.

to Tinian/Rota than they now have.

*15, 16 & 17
22/1/2002
MH*

MH: If rep. basis would have Rota = 1; Tinian = 1 Saipan = 15.

HW: Our scheme would have 4/5 for Tinian and several for Rota vice 1

representative.

JW: What about ignoring ^{this?} issue.

HW: If ignored, then no protections to Tinian and Rota from USC that they could have interests represented in constitutional convention. ^{in a legislative assembly for the Commonwealth.}

JW: ^{that} clause is this?

MH: Equal protect^{ion} clause of 14th amendment.

JW: If we go to a bicameral legislature under local constitution and then a court case ^{overrules it, then what?}

MH: If courts rule against then reapportion houses ^{on a Basis} by population; a legal argument could be made that ^{our specific amendment} exception to 14th clause is invalid much like ^{in a court case that the} exception for land alienation clause ^{is unconstitutional.}

JW: How is rep. ^{representation basis} figured? Would base population on Tinian be counted?

MH: Will research. ^{As comparing with the other representation of states}

JW: Mutual consent items discussed earlier. As to these we want to keep as few as possible. No changes in citizenship without USC approval; no financial changes after approval as would be ^a breach of faith.

MH: Politically is desirable to address fact that U.S. citizenship not to be taken away in ^{the} status agreement. ^{MPSC members must something to info}

JW: Could draft into the Article ^{III} but not make subject to mutual consent.

MH: Yes, ^{we could do that} and would still apply 14th. ^{use} amendment clause. ^{discuss.}

JW: Lets try drafting ^{this then.}

HW: If U.S. view ^{in that} it is enforceable obligation, can we get language to ^{bring letter} this effect?

JW: Yes.

internal US government
03200 29 194 1721
12/17/71
JW: Membership in International and Regional Organizations. Problem is Guam and other territories; discussion is *now a* *there has been* a raging argument, no final decision. This is reason U.S. draft deleted the provision from its *note that* covenant. It has USC overtones. *this* Will be resolved shortly and U.S. can then address.

HW: What is State view.

AS: Not resolved; U.S. State Department has problems with actions by territories that conflict with U.S. foreign policy. Best territories could expect would be "associate" membership; *this would let them* give opinions, but not vote. *US would* *would not* *present conflicting tradition from US dept*

JW: So we'll have to put on shelf - should resolve in a month - 2 months.

HW: *we* *NS* *in* *on this matter, however,* See why; need; uniform treatment; 1 member (Palacios) feels that loss of Marianas *of* associate membership right in U.N. organizations would inhibit growth potential of Marianas.

AS: Some membership *in these organizations* requires dues; certain memberships may not return the same benefits and MPSC should address this.

HW: Need State to *get us* list of *these organizations* dubious *to Marianas;* J. Leonard has told them ADB is not for Marianas so there are some *not of benefit to* *MPSC - Marianas* Marianas.

JW: *we have* Same problems in Guam and Puerto Rico. U.S. needs time to resolve - is out of our hands here in the office.

JW: On Application of Laws. Understand a new draft available. (attached)

MH: Yes - need to meet again.

HW: Want *US legal* group to review before discussing. *Samuel's force instruction*

JW: May want to delete Consolidated *Act* in light of U.S. agreement for U.S. loans to farmers cooperatives; applicable laws provision on drafting, *we* want to draft in "fool proof" fashion then simplify *the* exceptions.

HW: Where do we start drafting?
can't tell

JW: Let's start from top of agenda, drafting process should clarify areas of agreement and disagreement.

HW: Can get through agenda by next week if we can meet twice next week. Will be going to the Marianas week after ^{next} and want to discuss areas of agreement/disagreement with client.

JW: Let's meet next Tuesday/Thursday at 10:00, J. Wilson's office.