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MEMCON

Participants: A. deGraffenried  
T. Dunmire

Date: 13 September 1974

Time: 11:30 a.m.

1. Local courts for Marianas

A. What type

B. Would the Marianas have a local Supreme Court powers to overrule the U.S. on matters of local concern.

C. Whether as PR Supreme Court is authorized jury trial detetion.

2. Federal Courts

A. Separate District Court

B. Hear local cases

C. What happens if an issue arising by virtue of US Congress law in violation of status agreement (e.g. land) could local federal courts and U.S. Supreme Court overrule U.S. Congress act as violation of agreement.

3. Federal Laws

A. As to MPSC request for special treatment, (e.g. Jones Act) would MPSC agree to have a statutory - commission review - See status in question USC may also have commission review - statutes as to Guam

B. As to requests for special treatment under federal laws, USC still not prepared to address issues but Dunmire's general feeling is that Marianas would not be treated differently from other territories. He has understanding that this could delay drafting the agreement and dalying the next session of talks.

4. Approval Process

A. What role for USC in approving constitution/agreement

B. Approve both same time

1. consider getting USC on hook by approving status agreement first  
then Marianas constitution

2. Dunmire feels that submitting Marianas status and constitution  
and JCFS free association agreement would be too big for USC to digest at  
one time

5. National Status

A. Would Marianas get a "national" status different from America Samoa

B. Do nationals differ from citizens regarding U.S. taxes? draft?

C. Wanted copy of OMSN memo on U.S. citizens vs. nationals rights

D. Dunmire wants to make sure that Marianas or Micronesians do not get  
priviledges of national status without obligations

6. Budget Request

-- Isn't the new authorization request of \$15m tied into status -  
considering Carme;, etc.

7. FHW briefing on 26 September.

A. Hoped that Committee would be prepared to explore issue of Marianas  
(Noted disappointment that Johnston's Committee focused on Micronesia and  
security interests)

B. Would try to get Committee to direct themselves to OMSN memo of  
understanding issues and get some on their views.