



Still to be Considered by U. S.

Section

- 103 Review citizenship provisions as drafted.
- 401 Check on jury trial provisions in criminal cases.
- 403 Review text of this section. Add subsection which will list statutes which shall not apply to N.M. pending enactment of legislation envisaged in cld 802.
- 601 Check whether gift taxes are progressive.
- 602b Check what are the taxes imposed by Chapters 2 or 21 of the Internal Revenue Code. Get reference to IRC rather than USC.
- 703 Review Mariana proposal on eminent domain. Provisions of Co NM control over acquisition of land from individuals seem to be acceptable. The rest highly questionable.
- Check on way IRC defines Puerto Ricans not subject to U.S. income tax on non-U.S. generated income.
- Shall section 872(b)(4) be continued indefinitely or terminate upon establishment of Commonwealth?
- Do excise taxes on wine and liquor apply to territories? (Cf. Communique, p. 6, #6). Exclusive authority to enact excise taxes.
- Check whether the 50% provision of headnote 3 can be lowered to 25%.

To be Considered by Joint Legal Working Group

1. List of provisions of Status Agreement to which the mutual consent requirements will apply.
2. General applicability of the Immigration and Nationality Act to N.M., and e.g., shall nationality of children born abroad to persons domiciliated in N.M. be governed by that Act or to special provisions. Shall residence in Marianas be counted toward residence in U.S. for naturalization purposes?
3. Formula to govern interim applicability of federal laws in N.M. and list of exceptions.

Page 4--Formula D1 would subject to U.S. income tax on Mariana income those residents of Marianas who already are U.S. citizens; e.g., Eddy's boys and Tojata Sablon.

4. Shall E Bond exemption be continued indefinitely or terminate upon establishment of Commonwealth?
5. Progressive Taxation: Shall that be "studied during transitional ~~XXXXX~~ planning period" or shall we insist on commitment to that effect in Covenant?
6. Shall N.M. authority to impose excise taxes be exclusive?
7. Eminent domain problem.