

October 21, 1976

Memorandum for the Committee on Personal Rights and  
Natural Resources

Subject: Advantages and Disadvantages of Status as a  
United States National

This memorandum summarizes the reasons for creating the status of United States national in the Covenant and the advantages and disadvantages that would accompany an election by any person in the Northern Mariana Islands to become a United States national rather than a United States citizen.

Section 302 of the Covenant provides:

Any person who becomes a citizen of the United States solely by virtue of the provisions of Section 301 may within six months after the effective date of that Section or within six months after reaching the age of 18 years, whichever date is the later, become a national but not a citizen of the United States by making a declaration under oath before any court established by the Constitution or laws of the United States or any court of record in the Commonwealth in the form as follows:

I.....being duly sworn, hereby  
declare my intention to be a national  
but not a citizen of the United States.

Section 1003(c) of the Covenant provides that section 302 becomes effective upon the termination of the Trusteeship Agreement and the establishment of the Commonwealth of the Northern Mariana Islands.

Under these provisions, there will be one period of time, probably some time after 1981, during which residents of the Northern Mariana Islands can elect to become United

States nationals. All other residents (who are not citizens of another country) will automatically become United States citizens. All children born in the Northern Mariana Islands thereafter will become United States citizens. As time passes, the group of people who are United States nationals from the Northern Mariana Islands will decrease in size because no one can be added after the one-time registration period is closed.

The legislative history of the Covenant indicates that the status of United States national was provided for by the Covenant:

to satisfy the request of a small number of generally older residents of the Northern Mariana Islands who felt that acquisition of United States citizenship would be contrary to their local traditions.

If a person in the Northern Mariana Islands elects to become a United States national he or she will have the following advantages and disadvantages as compared to United States citizens:

Advantages

1. Some people believe that United States citizenship involves a greater commitment to the United States than does national status. For such people, the advantage of selecting national status is the symbolic one of declaring a lesser degree of commitment to the United States.

Disadvantages

1. The United States national will have all of the responsibilities to the government that the United States citizen has. He will be required to:

- a) pay taxes;
- b) obey the laws and Constitution of the Northern Mariana Islands;
- c) obey the portions of the laws and Constitution of the United States that are made applicable to the Northern Mariana Islands by the Covenant;
- d) serve in the Armed Forces, if called;
- e) give allegiance to the Commonwealth of the Northern Mariana Islands and the United States;

2. The United States national will not have all of the rights of United States citizens:

- a) only United States citizens can hold elected offices within the Commonwealth (if so provided by the Constitution);
- b) only United States citizens can vote in the Northern Mariana Islands (if so provided by the Constitution);
- c) if a United States national moves from the Northern Mariana Islands to the United States, he could not hold elected office or vote there because the states limit these privileges to United States citizens;
- d) United States nationals are restricted within the United States from owning certain kinds of businesses, (such as businesses that affect important natural resources or the national defense). These restrictions may be extended to the Northern Mariana Islands by an act of the Commonwealth legislature;

- e) United States nationals are restricted within the United States from holding certain licenses for business or professional activities. These licenses are generally controlled by state law. Such restrictions may be extended to the Northern Mariana Islands by an act of the Commonwealth legislature;
- f) United States nationals are restricted within the United States from holding certain kinds of jobs, such as sensitive government jobs.