

On My Mind

1/02/04

I was given a gift - not really intended as a Christmas present per se, but it arrived during the holiday season - that it might behoove the Marianas Visitors Authority to copy. It is a very attractive stand-up desk calendar put out by the Visitors Board of the Federated States of Micronesia. The front of the calendar bears the legend, "Discover the Four Corners of Paradise..." And elsewhere on the cover are listed the four members of the FSM: Yap, Chuuk, Pohnpei, and Kosrae.

The calendar consists of 12 pages, one side of which has the month's calendar, along with four mini-pictures - one from each of the four members of the FSM. The other side of each page has larger-than-postcard pictures from various spots in the FSM. The calendar stands up so that both sides of the page are visible.

What makes the calendar so noteworthy, in my opinion, is that it is colorful, attractive, useful, compact and relatively inexpensive - an ideal product to sell as a souvenir to tourists, to sell as a gift-idea to those looking for island-based items to send friends who live elsewhere, and to give away as mementos to important visitors.

What also makes the calendar noteworthy is the even-handedness with which it treats the four states of the FSM.

It certainly would make a better souvenir than those fake tiki totems sold in all the duty-free stores.....

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One week from today is the 26th anniversary of the day all but one of the provisions of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of American went into effect. Some provisions of the Covenant were implemented as early as March 24, 1976, and the provision giving citizenship to qualified residents did not go into effect until November 4, 1986, but all the rest went into effect on January 9, 1978.

Yet other than as one more day off for government employees, it does not appear that Covenant Day will be observed in any way, style or fashion. As has been said here before, in my opinion that amounts to dereliction of duty. The document, and the anniversary of its signing, deserve far more respect and honor, for the Covenant defines the very foundation of the CNMI. It establishes the CNMI's form of government, including a bicameral legislature and the provision that one house of the legislature "will provide for equal representation for each of the chartered municipalities of the Northern Mariana Islands." This alone provides the CNMI with a unique status that no state or other U.S. entity has: the right to ignore the "one man, one vote" rule in its Senate. Through the Covenant, this right is granted to the CNMI regardless of what other laws of the U.S. may say.

It is the Covenant, moreover, that gives the CNMI other unique rights that no other state or territory has: the right to control its own immigration and minimum wage, to restrict the requirement for jury trials in cases involving local law, and to exemption from the provisions of the so-called Headnote 3(A) provision which exempts the CNMI from certain tariffs that apply to all fifty states. The provisions of the Covenant are so favorable, in fact, that Guam, our neighbor to the south, has decided it wants the same benefits.

Wouldn't it make more sense to spend a little money on the proper observance of Covenant Day than \$250,000 - or whatever the final price tag was - on a float for the Rose Bowl Parade?

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Of course, the mid-term inauguration of new members of the House and Senate takes place only three days after Covenant Day. The preparation for that event is already gaining media attention. Yet inaugurations occur every two years, and in mid-term inaugurations, as occur this year, there's no change of governor. The hoopla is about only two- or four-year tenure for some politician or other.

Doesn't the Covenant deserve more?

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Last week's column promised details on the proposed refugee protection policy discussed by Attorney General Pam Brown at a bar meeting last month. It appears that a Memorandum of Agreement is now in place, negotiated by the U.S. Department of Interior, U.S. Department of Homeland Security, Bureau of Citizenship and Immigration Services, and the U.S. State Department for the CNMI to administer certain refugee protections required under international treaties to which the United States is a signatory. The text of the MOA itself - I had not been certain of its status - is available from the AG's office on request, Brown said today.

According to Brown, the next step is passage of a law enabling the Attorney General's office to establish an office in the CNMI for the administration of those protections. Having learned this only today, with the legislature on holiday, and without a bill number - which Brown was unable to provide - I was unable to access the bill Brown said was pending before the Senate.

The gist of the policy, however, appears to be in the distinction between a refugee, and an "asylee" - someone seeking asylum. The CNMI's proposed refugee policy will deal only with those who, having been ordered deported, seek protection against return to their country of origin on grounds of fear of torture or persecution. Should such protection be granted by the CNMI, the refugee would, nonetheless, be barred from moving to the United States. Such refugee could stay in the CNMI, or, apparently, move to some other country, but not the mainland.

The principles of refugee protection to be implemented are based on international law and treaties.

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A bill has been introduced by the House giving the Department of Lands and Natural Resources vast new powers over all designated parks, tourist sites, and recreational facilities (except those under the Department of Community and Cultural Affairs' Sports Division) in the CNMI.

The bill - H.B. 13-331 - gives the DLNR, among other things, the power to ban betel nuts, alcohol or cigarettes from designated parks, and to charge user fees as well as fees from concessionaires and vendors to recover the costs managing, maintaining, landscaping and beautifying the areas under its control.

The bill deserves a public hearing. Which is unfortunate, because there is not enough time left in this session to do so and still have both houses take action on it. But neither should it be passed in haste.

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Short takes:

- It is, of course, pure conjecture, but I can't help wondering whether the December 30 meeting of the Commonwealth Development Agency that was canceled on the 31st (so *was* there a meeting on the 30th?) could possibly be due to the probability that the CDA Board would be voting on the Dai Ichi's request for 100% abatement of all taxes for 25 years in return for the \$32.5 it claims it will spend on renovations.

- To those who might not have seen it, the *Tribune* gave its New Years Day front page to honoring local volunteers as "Persons of the Year." Mentioned were the several volunteer organizations on island that have worked throughout the year to make our islands safer, cleaner, more beautiful, more friendly, and more supportive to those in need. What a wonderful tribute! and what an inspiring way to start the new year!

- Last but not least, to those who might have expected New Years' resolutions from yours truly - sorry, but I no longer make them. At this age, and this stage, there are only hopes, wishes: one, more short term: that I live through the day; and one more long term: that the earth - and its people - survive.