

On My Mind

10/01/04

Those readers who reside in the CNMI, are U.S. citizens, and who are able to claim a former residence in the U.S. mainland - even though they may have no intention of returning there - may have 24 hours remaining in which to apply for an absentee ballot so that they can cast their vote for the next president of the United States. Information from the federal voter assistance program web site states that the deadline is October 2 for sending in the application if a Federal Write-In Ballot is to be used, though information handed out locally claims the deadline for using a Federal Write-In Ballot is October 1. For detailed information, go to the web site at "overseas-vote2004.com/regdeadline.html." (disregard the hyphen in typing in the url.)

It is a pity that the deadline is so short. At least one attorney at the Attorney General's office was aware, as early as August 3, of the existence of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and that it applied to U.S. citizens from the mainland who are now living in the CNMI. Yet it was not until this past Tuesday, September 28, that the Attorney General's office was able to find a basis for overcoming the objections of the Commonwealth Election Commission's Executive Director that CNMI's election law prevented anyone who was registered to vote in the CNMI from taking advantage of the UOCAVA.

On Tuesday, it was announced that Commonwealth Election Commission policy is "to allow all voters who are eligible to vote in both the CNMI and in federal elections to exercise their rights to vote in both elections." The announcement was based on an opinion provided to the Election Commission by the Attorney General's office. While it would be interesting to learn how the change in policy came about, the AG's office has, so far, refused to make the opinion available to the public, claiming client privilege. It would also be interesting to learn why it took the AG's office so long to issue such an important opinion.

With an historic opportunity for the people of the CNMI to cast a ballot in the election of the U.S. president as "overseas voters," it is a shame and a disgrace that the people were given only a few days to do so.

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The first debate between Bush and Kerry is taking place as I write. A friend is video-taping it and we will watch it this evening. What follows, therefore, is independent of how the debate will have gone. I think it worth quoting, regardless. Michael Moore, of "Fahrenheit 9/11" fame, wrote recently, "If I hear one more person tell me how lousy a candidate Kerry is and how he can't win... Dammit, of COURSE he's a lousy candidate -- he's a Democrat, for heavens sake! That party is so pathetic, they even lose the elections they win! What were you expecting, Bruce Springsteen heading up the ticket? Bruce would make a helluva president, but guys like him don't run -- and neither do you or I. People like Kerry run.

"Yes, OF COURSE any of us would have run a better, smarter, kick-ass campaign. Of course we would have smacked each and every one of those phony swifty boaty bastards down. But

WE are not running for president -- Kerry is. So quit complaining and work with what we have. Oprah just gave 300 women a... Pontiac! Did you see any of them frowning and moaning and screaming, "Oh God, NOT a friggin' Pontiac!" Of course not, they were happy. The Pontiacs all had four wheels, an engine and a gas pedal. You want more than that, well, I can't help you.....

"Instead of the wailing and gnashing of your teeth, why not hold out a hand to him and help the inner soldier/protester come out and defeat the forces of evil we now so desperately face. Do we have any other choice?"

This was part of a longer message sent to me by my brother titled, "Put Away Your Hankies...a message from Michael Moore 9/20/04." The language is a little rough, but the message is worth repeating just the same. Moore's website, as provided in the e-mail, is "michaelmoore.com."

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Another web goodie is "livingto100.com." It asks a series of questions about life style, eating habits, etc., and then not only gives advice based on the responses, but also gives an indication of the responder's life expectancy.

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While the governor's Public Information Officer claims the statement was inaccurate, it was upsetting to read in both the <i>Saipan Tribune</i> and the <i>Pacific Daily News</i> that during the investor conference held in Los Angeles last week, "Babauta said he also struck a multimillion-dollar deal with an Arizona investor who wants to buy the islands' volcanic ash for use in mining cement and other construction purposes."

Pete Callahan, the governor's PIO, said that while he did not attend the meeting of the governor with Ken Moore of Azmar, members of the MPLA and five senators that took place in LA, no "deal" was struck. Rather, said Callahan, the governor asked MPLA to expedite the process as to whether or not the Azmar application would be approved by MPLA. Callahan also noted that of course, environmental concerns would also have to be addressed.

At the risk of sounding like Harry Blalock, the situation raises a host of questions. Were other mining interests also represented at the conference? If not, why not? What was Azmar doing there to begin with? What was the governor doing at that meeting? Why was such a meeting held in LA rather than in the CNMI to begin with, since all of the participants - except Moore, are based in the CNMI? If the meeting did indeed "clear the air" as Callahan claimed it did, where is the new information that shows Azmar is financially sound, has the resources and capabilities to undertake the Pagan mining project? Why hasn't Azmar released that information to the rest of us? What do MPLA, and those five senators and the governor know that we don't?

The governor's long-ago vow of transparency in government certainly doesn't look very transparent in this case!

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Nor is there much transparency evident in the governor's actions regarding the sale of MTC. Just whose interests is he representing? Towards what end? His latest demand in the on-going, endless and mine-strewn negotiations for the sale - that MTC divest itself of its overseas cable facility - would seem to be the most absurd of all. With the millions MTC has invested in the installation of the cable, and the central role of the cable in MTC operations, to demand that the company now give it away just makes no sense at all. It's like asking a bus company to give away its bus and continue operating. How can anyone be expected to do business that way?

That the governor has single-handedly been able to delay and de-rail the negotiations between MTC and Pacific Telecom Inc. is more than proof of successful micro-management. Far more ominously, it would also appear to be proof that government's much-touted system of checks and balances is a failure, that it is, in this case, totally ineffective, inoperative. There appears to be no mechanism for constraining or over-ruling the governor in his stubborn insistence that the sale not go through. There does not seem to be a basis for court intervention. There does not seem to be a basis for legislative action. The governor has taken it into his own hands to control the destiny of telecommunications in the CNMI.

Other than bland statements that he is acting for the good of the people, no good reason has been given for the governor's actions. No legal bases for the hurdles he keeps putting up have been offered. No economic arguments have been offered. No purpose has been defined. Yet the governor has been allowed to hold up the sale at every turn, has been allowed to send signals to outside investors that they are not welcome, has been allowed to chill the climate of investor receptivity even more than existing bureaucracy and legislative ambivalence already do. That he has been able to do so, unchallenged, is, I would contend, a very serious situation, not to mention its appearing to be an abuse of power.

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To go back to the AG's announcement regarding the casting of overseas ballots for a moment: It is, no doubt, protocol that the designated spokesman "perform" at public functions, but I thought it interesting that Assistant Attorney General Arin Greenwood, the attorney who did the actual research - and, presumably, the writing of the opinion as well - was barely introduced at Tuesday's Rotary meeting, and was not called upon to present what were, in essence, her findings.

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It has happened again. Both local papers are running nearly identical page one headlines. One reads, "U.S. House panel okays NMI delegate bill." The other reads, "U.S. House panel OKs delegate bill." A case of "Great minds think alike"?

