

On My Mind  
3/09/07

Has the art of compromise, the practice of consensus, the Micronesian way of settling differences disappeared? It would certainly seem so, judging from the reports in the media of one person after another taking stubborn positions either for or against issues, with no acknowledgment that there might be some middle ground where both sides could find agreement.

Perhaps the most pressing issue - where this behavior of seeing things in only black and white, with no gray area in-between appears - is the so-called "federalization" of immigration. The governor appears opposed to any thought or talk of a federal role in immigration control. "Sour Grapes" columnist Bruce Bateman has let it be known that he is even more vociferously opposed. They - and others out there as well - object that the move over-rides the Covenant, that it will kill the economy, that the CNMI is being victimized by a neo-colonial administration in Washington.

The facts are that the CNMI has been fortunate to control its immigration as long as it has; that world circumstances have changed since the Covenant was signed, and most significant of all, that the U.S. Congress has had the right to "take over" the CNMI's immigration program from the day the Covenant came into being.

What's more, the "other side" - both congressional staffer Allen Stayman and executive branch "minion" - if I may be excused for using the term - David Cohen, have shown a willingness to find middle ground where the concerns of the federal government can be met while still accommodating the interests of the people of the CNMI.

It makes no sense to refuse to cooperate, to be unwilling to take any part in shaping resolution of the issue, to waste time and energy fighting the inevitable.

Keeping in mind the old saying about catching more flies with honey than with vinegar, those opposed to the "take-over" might want to take a closer look at the position of their Washington Rep, who has come up with a list of concerns that must be addressed in any U.S. legislation regarding CNMI immigration, but at least is willing to negotiate.

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Another instance where black and white thinking seems to prevail is in regard to the issue of the usefulness of municipal councils. Questions about local governance - from mayors to municipal councils to legislative delegations - have hounded the CNMI since its Constitution was first formed. Now, nearly thirty years later, the issue is again making headlines.

But is it really necessary to either abolish them completely, or leave them be? Wouldn't it be possible to continue the existence of municipal councils in Rota and Tinian - where, so supporters say, they are useful - and just abolish the one on Saipan?

Better yet would be supporting an effort to settle the larger question, as to whether each of the three islands in this small place really needs all three layers of "local" government - mayor, local delegation, and municipal council - once and for all. Earlier arguments pro and con were largely theoretical, since there'd been no experience with the constitutional provisions for them. Now there's been experience, and it should be easier to make a case one way or another. To be completely thorough, one might want to throw into the discussion mix precinct commissioners as well.

Who might do such a study? My first candidate would be Sam McPhetres' students. I can't think of anyone else who would be as free of political self-interest.

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Public School System Commissioner Dr. David M. Borja spent considerable time at this past week's Chamber of Commerce meeting laying out the "State of Education in the CNMI." However, instead of an appeal for the funds, or new desks, or budget protections the Department of Education appears to badly need, Borja's presentation was a deadly dull recitation of statistics, accompanied by charts and graphs that were illegible to most of those in attendance. It would appear that what Borja needs most is a better speech-writer and power point designer. I mean no disrespect to Dr. Borja, who is well-regarded in PSS circles, but if the presentation was indicative of those made to the legislators when asking for help in running the system, it's no wonder no one listens.

Borja is faced with two contrary challenges (a) everyone looks to today's students as the solution to a better future - which obviously calls for excellence in education; (b) yet while the student body - and number of schools - has increased - which just as obviously, would seem to call for an increase in funding - PSS funding has not kept pace. One should not and cannot expect anyone to generate quality products under such conditions. Yet that is precisely what the CNMI legislature and the administration appear to expect.

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The bright spot in the Chamber meeting was the introduction of Dr. Kaleo Patterson, from the University of Hawaii, who is on island to help Northern Marianas College establish a certification program for CNMI tour guides. Said Eric Plinske, NMC's Small Business Development Center director and in charge of the program, tour guides are

the front line in tourist interface, and their performance plays a critical role in how the CNMI is perceived by its tourists. The program is long overdue - in fact, one can only wonder why it was not instituted years ago.

House Bill 15-153, "Tour Operator and Tour Guide Regulatory Act," which I believe has been passed by the House and is awaiting Senate action, proposes that a tour guide "certification" program be administered by the Marianas Visitors Authority. Now that NMC has taken on the task of conducting such training, the bill should be withdrawn and re-written, placing responsibility and authority for tour guide training and certification with NMC.

After all, the Commonwealth Health Center does not have the authority or responsibility to train its nurses - that belongs to NMC. Likewise, the MVA should not be given the authority or responsibility to train tour guides - that belongs to NMC.

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A great solution to the increasingly precarious condition of Commonwealth Utilities Corporation's power plant and related services is apparently not available to the CNMI. There's a Rural Development Electric Program within the U.S. Department of Agriculture that offers insured government loans for financing the construction of power plants. It also provides "leadership and capital to upgrade, expand, maintain and replace America's vast rural electric infrastructure." Sounds like just what the CNMI needs, right? Unfortunately, it appears the CNMI is not eligible to take advantage of the RDEP's loans and services because the status of CUC's finances are so deplorable that the RDEP won't even consider an application.

Seems to me the CNMI would be far better off spending the time, effort and funds to resolve that problem, and then take advantage of the help available from the feds, rather than continuing on its present peculiar and rocky road of issuing increasingly irrational requests for proposal that will, in all likelihood, only result in lengthy and costly appeals once awarded - if that day ever comes.

Looks like CUC is rapidly becoming the second of CNMI's white elephants.

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#### Short takes

The cry for payment of rebates is again in the air. Wonder if those owed rebates would be able to deduct them from any income tax they might end up owing the CNMI? A regulation has been proposed that would allow individuals or entities to offset accounts payable to the individual/entity from the CNMI by accounts receivable owed by the individual/entity. The proposed regulation talks of contracts on which money is owed, but isn't the rebate a form of contract? The comment period on the proposed regulation, titled "Accounts Payable/Receivable Offset Procedures" ends on March 15th.

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The NMI Retirement Fund recently asked the Office of the Public Auditor to conduct a comprehensive fiscal and management audit of its operations. Yet the Retirement Fund, according to its administrator as quoted in last Saturday's *Saipan Tribune*, can't recall ever remitting to OPA the legislatively required 1% of its budget, on which the OPA relies for its operations. I wouldn't blame the OPA one bit if it put the RF request on the back burner until the RF coughed up at least some of its long overdue payments to OPA.

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I wonder if Tommy Remengesau would consider running for governor of the CNMI? He'd sure get my vote! He's an ardent environmentalist and supporter of eco-tourism, to begin with, and just recently, issued a warning that the CNMI should have listened to long ago. At an economic symposium recently held in Palau and subsequently reported in the *Marianas Variety*, Remengesau, who is Palau's president, said it is foolish for Palau to support the development of garment factories and get involved in gambling ventures. In addition to threatening the environment, heavy industry would need a big workforce that Palau does not have, he noted.

"Before we consider any partner, any project or any sector, we must ensure that the benefit of this partnership or project is primarily directed to the Palauan economy and our Palauan citizens," he said, adding that Palau is not being built for the benefit of foreigners. Remengesau noted that if tourism is to be Palau's economic base, the environment must be strenuously protected, saying that "If our children are to enjoy the fruit of our efforts, we must protect the goose that laid the golden egg." Would that more CNMI leaders thought the same!

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New movies only one - rated R for its massive killings, among other things - for a total of 2 R's, 5 PG's, all mediocre.

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