

On My Mind  
3/23/01

Tomorrow is Covenant Day. In fact, tomorrow is the 25<sup>th</sup> anniversary of the approval of the "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America," by a joint resolution by both houses of the U.S. Congress, much as an international treaty would have been approved.

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The CNMI's Covenant spells out the basis and the structure of government of the CNMI. It provides for a constitution and a bicameral legislature; defines U.S. citizenship eligibility and the relationship between the CNMI and the U.S.; and, among other things, identifies which U.S. Constitutional provisions and federal laws apply to the CNMI.

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Yet having flourished under the Covenant for a full quarter century, what observance has the government planned for the occasion? No word has appeared in either paper that there will be any observance at all. What a strange way to foster pride in the CNMI.....

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For some reason known only to themselves, members of the CNMI Senate continue to sit on House Bill 12-317, which would repeal the law now in place that requires foreign workers who have worked here for three years to leave the CNMI for six months before they can be re-hired. The original law, requiring the departure, was passed in the face of threats by the U.S. Congress to impose federal immigration laws on the CNMI - a right, it should be noted, Congress is authorized to exercise under the terms of the Covenant.

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But that law, P.L. 11-69, was poorly thought-out to begin with, and with its deadlines coming ever closer, it is high time that it be repealed. It didn't make sense when it was passed, and it doesn't make sense now. It didn't make sense the first time a similar law was passed, or the second time, either. To be concerned now that it would look foolish to repeal it one more time is no excuse. The foolishness was in introducing and passing yet another limit-law to begin with.

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Moreover, the belief that the local labor force can replace all 25,000 foreign workers now employed in the CNMI is ridiculous. No matter how much or what kind of training NMC or employers or anyone else might provide to the local labor force - or even what salary might be offered them - the fact is that <B>there are not enough warm bodies in the local work force to fill all the job slots now held by foreign workers.</B>

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What is it that the Senators can't understand about such simple arithmetic?

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A <I>Variety</I> story this week reports that, rather than repealing or even suspending P.L. 11-69, some Senators believe the potential shortage of foreign workers could be resolved by imposing stricter guidelines and making decisions on a case-by-case basis. But that is neither realistic nor acceptable. Case-by-case decisions lend themselves far too easily to favoritism, to

the granting of special privileges in exchange for special consideration - to graft, bribery, and corruption, to put it bluntly.

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It's no wonder that members of the U.S. Congress continue to believe that the CNMI does not need its foreign workers. From all appearances, the CNMI Senate believes the same thing. And until CNMI Senators themselves understand the fallacy of that position, they'll never be able to persuade the U.S. Congress.

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Only one member of the upper house has shown any real creativity in the matter. Senator Ramon S. Guerrero has proposed that P.L. 11-69 be suspended, and that a task force be formed to re-assess the law and its implications, both political and economic. The task force would then propose a new law, based on its findings. That approach, however, would make sense only if task force members could be relied upon to examine all options intelligently and with an open mind, rather than simply perpetuate present mind-sets. The problem would be finding qualified members.....

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One option that ought to be considered is to do away with the exemption from the three year limit in P.L. 11-69 for professional employees. The law as now written suggests that there are plenty of people available in the local work force to take on non-professional positions - so foreign workers are not needed for the so-called "blue-collar" positions - but that there are no people in the local work force capable of taking on professional positions - so foreign workers are needed to fill the so-called "white-collar" slots.

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Where is the encouragement - or incentive - for local workers to strive for professional positions?

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There's talk the zoning law - or parts thereof - may be re-activated. The sentiment seems to be that a better product might be obtained now that developer pressure has died down. At least equally important is whether legislative thinking has, in the interim, matured, become more receptive to new or different points of view.

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Palau, for example, has undertaken a study of the density of divers that should be allowed at any given dive spot in order to maintain the appeal of the dive spot for tourists. (It would prudent for the CNMI to do the same.) In the same sense, the CNMI should look at the "density" of hotels in its villages, the "density" of tourist busses on its roads, the density of garment factories within its borders, the density of homes on its hillsides that should be allowed in order to maintain its appeal to tourists, the attractiveness of its lifestyle, and the health of its economy. In other words, the zoning law should look at limits, at caps.

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There is, as well, a need to look at the over-all "density" of foreign workers the CNMI believes is necessary to achieve those goals. It all ties together. Growth in any sector will require growth in the number of workers needed to sustain that growth.

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On the other hand, there cannot be growth without stress, wear and tear on the environment. That, too, is why the setting of limits, of a cap on numbers, is so important.

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It might also be instructive to look at the proportion of construction workers to the rest of the work force in other economies, both in the Pacific, and on the mainland.. The CNMI's construction industry is constantly complaining about its decline, but it is rather unrealistic to expect that this economy - or any other - can maintain the rate of new construction that once existed here. Normal building and replacement rates are far lower than what occurred here during boom times, and it is time the industry faced that reality.

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Cal Thomas, in a recent syndicated column appearing in the <I>Pacific Daily News</I>, asked why everyone was so upset at the thought of Afghanistan destroying statues made of stone, when so many flesh-and-bone humans around the globe were needy, sick, and starving, were being killed, tortured, and maimed, when so many women in the very same country were being deprived of schooling, of jobs, of the simple freedom to walk about on their own.

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Of course, he put the question in terms of right-wing conservatism, but it's worthy of thought, just the same.

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Lastly, a word of warning: If you're approaching 65 and have not checked out your Medicare status, you should. Postponing coverage under Medicare B can get expensive. Information is available from the local Social Security office, at 234-6023, or via e-mail at mike.newman@ssa.gov.