

On My Mind

6/11/10

What with all the accusations, finger-pointing and negative campaign rhetoric, already, filling the airwaves, news wires, news print on both national and local levels, seems like a good time to take another look at that billboard in the JoeTen-Kiyu Library parking lot. It is a Rotary Club credo, spelling out what it calls a "four-way test" of how we think and act, of what we do or say:

"(1) Is it the truth?

"(2) Is it fair to all concerned?

"(3) Will it be beneficial to all concerned?

"(4) Will it build goodwill and friendship?" *[I've changed the order, switching #3 and #4.]*

How often do we even think such thoughts? How different things would be if we did!!!!

One can't help feeling sorry for the foreign workers, for their employers, for local businesses. For decades, they've lived under the tyranny of the CNMI Department of Labor. Supposedly, it is the U.S. that is now in charge of their status, and conditions of employment. Yet the CNMI persists in promulgating laws, demanding compliance, imposing penalties and fines, inconsistent with federal laws.

Dare the foreign workers, the local businessmen defy the DoL's law and regulations? Can, will, DoL enforce them?

Until Homeland Security and the U.S. Labor Department come out with their regulations, the only help lies with the Ombudsman's office. Let's hope it's kept very busy until then!

Those who intend to rely on Washington's national overhaul of immigration for solution to CNMI's issues not only have a long wait ahead of them, but also run the very substantial risk of being swallowed up and ignored in the larger issues that face the rest of the nation.

The CNMI immigration program has some unique aspects that do not exist elsewhere. Among other things, the CNMI needs foreign workers for its economy to survive and succeed. It cannot survive without them because there simply aren't enough warm bodies to fill all the existing jobs. Moreover, unlike the migrant workers in California and elsewhere, who are needed to harvest crops but not during the rest of the year, the CNMI needs those foreign workers year round.

In addition, the CNMI needs not only blue-collar foreign workers year-round, but also white-collar foreign workers, such as Canadian doctors, for the same reason. Again, this is not as pressing a need on the mainland. And it needs visa waivers for Russians

and Chinese to sustain its tourism industry. This, too, is not true on the mainland.

One of the biggest concerns with U.S. national immigration's is the large number of illegal immigrants now within U.S. borders. The problem does not have the same dimensions here.

On the mainland, legal permanent residence has always been seen and considered as the gateway to citizenship. But this may cause problems in the CNMI. A better solution for the CNMI would be to separate the two: promote legal permanent residency for present foreign workers, but deal with citizenship as a different issue entirely, with different qualifications and requirements.

For all these reasons and more, the CNMI stands a much better chance of having its needs met if it distinguishes its immigration concerns from the national issue, and begins work now on finding solutions separate from any work being done on national issues.

To go back to basics: What is citizenship, after all? It is the right, if you will, to be involved in one's governance. In order to be involved in one's governance, one should be familiar with that form of government, with its practice, laws and rules, with its history.

Many of the foreign workers who are lobbying for improved status/citizenship are not familiar with the U.S. form of government, its practices, laws and rules, and its history. Unless the U.S. chooses to offer them the same thing that CNMI residents were offered (see next paragraph), the foreign workers would not, therefore, ordinarily be immediately eligible for citizenship.

As been pointed out, and Bill Stewart echoes again [as quoted by Jane Mack in her blog], "...almost a quarter century after citizenship was bestowed upon qualified islanders by presidential order it should be kept in mind that at that time ... people of the Northern Marianas, unlike other nationalities seeking U.S. citizenship, were not required to possess comprehensive knowledge of American history or appreciation of the principles of democracy as most Americans perceive them to be. Most foreigners seeking U.S. citizenship must study a variety of subjects related to American history, pass an examination, and swear an oath of allegiance. This was not required of the people of the Northern Marianas."

Which does not mean that the foreign workers now in the CNMI don't deserve, aren't entitled to, an improved status. That they certainly are. And that could easily be provided by granting them legal permanent residence.

Their citizenship "right" applies in the Philippines - where they do vote, and participate in their governance.

Eventually - after a number of years yet to be determined - but certainly more than five - if a given foreign worker has settled into the community, sends his/her children to school, participates in community events, and expresses an interest in doing so, it would then be appropriate for him/her to apply for U.S. citizenship, but s/he would have to com-

ply with all the U.S. conditions, including whatever knowledge of history, laws, etc., are still required.

In short, in the CNMI, citizenship and permanent residency would seem more easily dealt with as two separate issues....

Short takes:

The May *Commonwealth Register*, released only last week, in addition to notification of adopted labor regulations, includes proposed regulations that would (1) make group health insurance available to domestic partners of government employees, provided that 100% of the premium was paid by the employee, and (2) require the Public School System to retain data from unsuccessful applicants for only 180 days.

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Contrary to Jaime Vergara's interpretation of whose liberation from what is celebrated on Liberation Day (see his column in the 6/7 issue of the *Saipan Tribune*, Don Farrell's CNMI history book will tell you that July 4 is the day local island residents were released from the internment camps in which they had been kept by U.S. military after WW II. The western world's U.S. independence from Great Britain, also celebrated on July 4, has little relevance here.

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Now that the CNMI's population has fallen way below the 69,000 that triggered an increase in and re-apportionment of the seats in the CNMI's House of Representatives, shouldn't the number of seats be reduced accordingly?

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What with all the requests for proposal out to do repairs on various schools throughout the island, sure would seem like an ideal paying job opportunity for the CMI's unemployed if a deal could be made between PSS and Tony Pellegrino's Northern Marianas Trade Institute to have his students do the job. The CNMI government could save even more if it made a similar arrangement for repair and upkeep of all its vehicles. A model already exists at Guam Community College.....

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Congratulations to the CNMI Department of Commerce, the Commonwealth Development Authority, the University of Guam, and the U.S. Small Business Administration for the reestablishment of the CNMI Small Business Development Center! Imagine, for the past ten years, the CNMI has been the only jurisdiction in Micronesia without an SBDC! It's long overdue, and we wish it well.....

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My apologies for providing an incomplete url for Jane Mack's blog last week. It should have read < www.saipanwriter.blogspot.com >.