

On My Mind
7/30/10

According to a story in this past Monday's *Marianas Variety*, "The organizing committee is still working on the language of the question that will appear on the ballot" about the U.S. Department of Interior's report on the status of foreign workers in the CNMI. Rallies in opposition to the report are on-going, and House Acting Speaker Felicidad T. Ogumoro has said a referendum on the report "can no longer be prevented."

But it is difficult to imagine just how the proposed referendum would be phrased. The report was prepared by the U.S. Secretary of the Interior in response to a request, made in Title VII of U.S. Public Law 11-229 by the U.S. Congress, that the Secretary "provide information and recommendations regarding alien workers in the CNMI" to the Congress. The DoI did as requested, and submitted its findings, "Report on the Alien Worker Population in the Commonwealth of the Northern Mariana Islands," to the Congress in April of this year.

What is there to vote on?

As part of the report, the DoI was asked to make recommendations related to "whether or not the Congress should consider permitting lawfully admitted alien workers lawfully residing in the CNMI on such enactment date to apply for long-term status under the immigration and nationality laws of the United States." It came up with five options.

Though people in the CNMI may not like any of the options that were presented, it isn't up to the CNMI to decide. The decision as to which of the five options to adopt, or whether to devise different ones, is up to the U.S. Congress. Voting to reject the DoI's report can't and won't affect what Congress does.

However, the CNMI could come up with alternative solutions. It could vote on them, and then submit the result of that vote to Congress. Conceivably it could even be done without requiring a full-fledged referendum - which would, among other things, save the cost of having the Election Commission conduct an education campaign on the issue. Of course, there is no assurance that Congress would follow the CNMI's suggestions, but at least it would be better for CNMI's image - as following a traditional non-confrontational and consensus pattern - than the confrontational one presented by our leaders' demagoguery.

A demagogue, according to the *New Oxford American Dictionary*, 2nd edition, is "a political leader who seeks support by appealing to popular desires and prejudices rather than by using rational argument." According to the *American Heritage College Dictionary*, a demagogue is "a leader who obtains power by means of impassioned appeals to emotions and prejudices."

With the economy ever-shrinking, legislators refusing to so much as enact a budget, much less take care of other island woes, and an administration that has shown itself incapable of cutting expenses, the thought of receivership for the CNMI becomes more

and more inviting.

According to the web site Wikipedia, receiverships come into being either by statute, by private appointment, or by court appointment. In the case of the CNMI, obviously, receivership could only come about under a court order. Which means someone would have to bring a case to court, demanding that a court-appointed receiver administer the CNMI.

Under receivership, a court-appointed receiver would control all monies in and out of the CNMI, and determine who gets paid how much within what time frame. A local pundit - defined by the *AHCD*, 2nd ed. as "(1) a source of opinion, a critic; (2) a learned person" - has suggested that once that occurs, it might not take the CNMI all that long to show signs of recovery. Not only would potential investors view the event as bringing stability, but people would no longer feel compelled to leave island due to its poor economy.

The scenario raises numerous questions, but first, a couple of definitions, as found on the web. From < www.investorwords.com >: "A form of bankruptcy in which a company can avoid liquidation by reorganizing with the help of a court-appointed trustee;" from < <http://www.yourdictionary.com/business/> >: "The state of an organization whose operations and assets have been placed in the legal custody of a receiver for the protection of creditors and other affected parties. An organization in receivership may be liquidated, or it may eventually emerge to continue operations, although likely in a different form."

The questions: who has standing to bring such a suit to court? is bankruptcy the only charge that can lead to receivership? if not, what other charges/circumstances could achieve the same purpose? if there must be bankruptcy, can anyone other than the entity involved declare the bankruptcy? Is it possible to request receivership before a formal declaration of bankruptcy is made? what if the government refuses to declare bankruptcy? can anyone else declare the government bankrupt? can anyone else appeal to the court to put the government into receivership? while municipalities have been put into receivership, can an entire political entity, such as the CNMI, be put into receivership? And those just scratch the surface.....

Even if the whole idea is unrealistic - and it's not clear that it is - it sure would be a neat solution to a seemingly hopeless situation that shows no sign of improvement.

Short takes:

Funniest line of the week: "They have to help us more," reportedly said by non-voting delegate to Congress candidate Jesse C. Borja about the U.S. role in the CNMI. One hopes he wasn't talking about dollars there - the CNMI has problems spending the dollars it has already received from the federal government.

*

Wisest thought of the week: introducing the idea of "flex time" in discussions of cutting work hours under an austerity program. In fact, the use of flex time throughout government would bring many advantages - from a reduction in such traffic jams as still occur to more efficiencies in covering service points and better morale among the

workforce.

*

Worrisome-est thought of the week: what trade-off are candidates being asked to make to assure conduct of an election in November? That the possibility of not holding an election has even been brought up is unsettling, to say the least.

*

Weird numbers: According to today's *Saipan Tribune*, the Department of Community and Cultural Affairs has received \$1.8 million from ARRA grants for the "improvement and expansion of child care programs on island," of which there are 19, serving some 465 children. That would amount to \$3,871 per child. Out of context, that seems a lot. Would be nice if someone would provide enough information to help people decide whether they should get upset that it is too much, or too little.....

*

Say again? The headlines read that the U.S. Citizenship and Immigration Services was "expanding" the options available for making payments for its various fees and charges. The finer print indicates that cash will no longer be accepted by the USCIS. That's hardly an expansion of options, especially in the islands where not everyone has either a checking account or credit cards, and thus will have to pay a fee for a money order in order to make payments to the USCIS.

*

Sharkwater, an award-winning documentary about the exploitation and corruption surrounding the world's shark populations and the effect removing these important predators is having on ocean ecosystems, will be shown at the American Memorial Park theater Friday, August 6, at 7:00 p.m. The showing is sponsored by the Mariana Islands Nature Alliance, and admission is free.

*

The Manhattan Project and Tinian, an educational symposium, will be held on Tinian Tuesday, August 3 through Friday, August 6 at the Tinian Dynasty, with tours scheduled for Tuesday and Wednesday, and the main program on Thursday. Six guest speakers will talk about the history and development of the atomic bomb at Los Alamos, the delivery and use of "Little Boy and Fat Man," and the men involved. The symposium is funded in part by grants from the CNMI Council on the Humanities and NEH. Other sponsors include the 17th Tinian Joint Delegation, IT&E, Tinian Fleming Hotel and Tinian Dynasty.

*

Last but not least: why does the *Variety* persist in publishing letters about irrelevant subjects unrelated to Micronesia from a Canadian who has no ties to any part of Micronesia? Is the paper that desperate for fillers?