

9/30/11

This tiny place - hardly big enough to qualify as a city - played host to representatives from two large and powerful federal agencies this past week, proof that, contrary to belief, at least some people in the federal bureaucracy are aware of the CNMI, know how to find it, and even come out to "dialogue" with its inhabitants.

One, the U.S. Navy, came with the specific intent of gathering input from island residents about actions it proposes to take as part of its testing and training program - it held "public scoping meetings" at which posters, a video, and take-away fact sheets spelled out the general nature of the activities the Navy expects to undertake - along with the why, where and how - as well as issues related to environmental protection and public access and safety. A generous handful - maybe a dozen? - military and civilian staff were on hand to explain, answer questions, handle logistics. All I spoke to were friendly, open, knowledgeable.

For those who missed the sessions (one each on Tinian, Rota, Saipan), more information is available at the web site: < <http://www.mit-eis.com/> >. Written comments must be submitted by 11/7/11. Unfortunately, comments must be submitted either through snail mail or on the web page; for some irrational reason, e-mail input is not provided for. Those who plan to submit written comments might therefore want to include a request that in the future, input by e-mail also be made available. Commentators might also wish to ask that research reports that are generated as part of the Navy's environmental impact assessment, and the assessment itself, as well as the proposed action (an 800-some page document!) be made more accessible to the general public through use of plain English rather than jargon, through simplification of data presented, through the deletion of the more arcane scientific findings, etc.

Commentators might also want to suggest that in addition to making publications more accessible, the Navy should expand its educational outreach. The inimitable Sam McPhetres brought two of his NMC classes to the scoping sessions, but I saw no other students there. Presentations could have been made at one or more of the CNMI's high schools, to the legislature - I saw only one there - to the Chamber of Commerce, to other private and public agencies. In addition, as the work gets under way and more of the study team visit the CNMI, its members, as well, could share their knowledge and make public presentations of their findings while they are on island.

While it would be preferable if the focus were solely on environmental issues - from sustainability, viability and endangered species to invasive species - rather than on military needs, at least the CNMI is on one significant D.C. agency's horizon as a necessary component of its mission. The CNMI should not miss the opportunity to derive what benefit it can from the interaction. To what extent the Navy will change any of its intended actions in response to public comments is, of course, unknowable, but since the possibility exists, there's nothing to lose - and everything to gain - by submitting them.

The other large and powerful federal agency on island this past week has been Homeland Security - more specifically, its Citizenship and Immigration Services. CIS has been here not so much to receive input as to provide output/information about the new Rule it has issued in regard to the use and status of contract workers in the CNMI.

There haven't been quite as many staff members involved in making the presentations, but there have been far more presentations than were offered by the U.S. Navy. In terms of public outreach, at least, CIS is the clear winner.

And while the CIS came to give out information, rather than take it in, it would appear - judging from comments made by District Director David Gulick at the 9/29 afternoon session - that the CIS has also gotten information from its audience, information it is using to define how the Rule will be applied/interpreted once it goes into effect. Gulick told attendees at the Thursday session to watch for CIS statements over the next week or so - on the CIS web site, in the papers, on TV, reflecting elaborations, if you will, on existing information provided in the rule. The application of parole, discussed in today's papers, is one example.

Gulick said he had not, however, gotten the sense, despite the many questions, requests for clarification, descriptions of troublesome situations, that the CNMI is any different from any other part of the U.S. While many feel that circumstances in the CNMI are unique - from its remoteness and its small indigenous population to the low level of its pay scales - and thus deserving of special treatment, Gulick insisted that the goal of the Consolidated Natural Resources Act - to bring the CNMI in line with the rest of the U.S. in terms of the application of existing U.S. immigration law to the CNMI - was reasonable, valid, doable. It should be noted, however, that Title VII of the CNRA does contain "special provisions" applicable to the CNMI, which Gulick might want to re-read....

Another information-sharing event this past week was last night's annual meeting of the Commonwealth Retirees Association. The agenda, which called for discussion and a decision on Sapuro Rayphand's action removing the Retirement Fund suit against the government from Superior to Federal court, and on the degree to which retirees' pensions should be cut to allow the Fund to continue in existence beyond the three years that are currently predicted for it, as well as election of a new board, drew a standing-room-only crowd.

Except for the election of board members, the agenda was not followed. Instead, Retirement Board administrator Richard Villagomez was invited to speak, and he, in turn, turned the microphone over to Sixto Igosomar, Chairman of the Retirement Fund Board of Trustees. Igosomar was eloquent in his description of the situation now facing Board and Fund members, and what it meant for retirees as well as still active Fund members. He painted a grim picture of the present condition of the Fund, saying that Fund resources stand at \$266 million, with \$63 million being paid out every year in retiree pensions. It would take \$900 million to fully fund the Fund - a figure that is clearly unreachable. But he said he could provide no details of possible strategies for prolonging the life of the Fund since the matter was in litigation. He said he had thought agreement on next steps was imminent - until the case filed by the Fund against the government was removed from Superior Court to the Federal court earlier this month by Rayphand.

Igosomar repeatedly told attendees that help and support for the Fund and for their pensions was dependent in large part on action by the legislature, and that they should let legislators know of their concerns. Only by attending hearings, speaking out, contacting members of the legislature can retirees and members of the Retirement Fund hope for any change, any improvement in the condition of the Fund. "Democracy," noted one attendee, "is only effective if the voice of the people is heard."

Igisomar's presentation was followed by a lengthy question and answer period. A basic principle that emerged was that retirees might be willing to forgo a small part of their present annuity but only provided that the government, in turn, take significant steps not only to cut costs but also to raise revenue by liquidating assets, among other things.

CNMI delegate to Congress Kili Sablan spoke on a possible partial solution - the re-institution of U.S. Social Security. He said that while the benefits would not be as liberal as those that have been available under the CNMI retirement plan, given that the CNMI's plan is no longer viable, at least Social Security would provide some income once people retired. He said Social Security officials are willing to work with the CNMI in bringing this about but that it would take the cooperation of the legislature, the administration, the Fund, and the retirees.

Unsaid, but a major concern, is that if Fund members take their contributions out of the Fund, they would have no convenient place to safely re-invest it that would provide them with an income when they retire. Additionally, if they take their contributions out of the Fund, the amount remaining for investment and payout to retirees decreases, shortening the life of the Fund even more.

Vice-speaker Joe Guerrero spoke briefly about revenue-generating measures the House was considering to provide income to the Fund, one example being a 20% cut in tax rebates - but only for two years.

Question(s) of the week: Now that the new census report is out, how long will it take the legislature to take on the matter of reduction of its members? Who determines the ratio of inhabitant to legislator? Might a part-time legislature be considered?