

6/15/12

Last minute flash: Bankruptcy Judge Robert J. Faris has just filed a "Memorandum of Decision on Motions to Dismiss" in the U.S. District Court for the Northern Mariana Islands. It appears to put everything in the Retirement Fund bankruptcy case on hold until some time after July 27, 2012 when the Judge will hold a hearing on contested applications and motions, if any, regarding administrative expense filed by parties to the suit. See < <http://tinyurl.com/cs9byvz> >. Looks like it's going to be a long, hot, summer!

What a busy week! Still on-going is the precedent-setting first-ever Marianas History Conference at the Fiesta Hotel. It's estimated that between 250-400 people are in attendance, to listen to an international roster of some 57 speakers talk about everything from cave art, underwater wrecks and attitudes toward food to the Chamorro diaspora, memories of a Japanese Pagan Island and a lost church on Guam.

The conference opened with keynote speakers Father Francis X. Hezel and University of Guam President Robert A. Underwood setting the tone: Hezel talking of history as a quilt that brings comfort and encouraging people to fill the holes, to share and contribute their part of history to the quilt; Underwood typically more provocative, declaring that people should not "leapfrog" the history of Magellan, the Spaniards, the Germans, the Japanese and the Americans in defining the nature and character of the Chamorro, the Carolinians.

The conference started Thursday afternoon, and is scheduled to run until 3:00 p.m. on Saturday. Attendance is free.

This past Wednesday evening saw an overflow crowd at the Visitor's Center at American Memorial Park as retirees and current government employees came in hopes of learning more from Commonwealth Retiree Association president Larry Cabrera on the status of their plight. Though invited to attend, no one from the executive branch showed up - neither from the Retirement Fund nor from the governor's office. Legislative branch leaders did: Senator Paul Manglona, and acting Speaker Felicidad Ogumoro on stage, a few others scattered in the audience.

Manglona was re-assuring: he told retirees that their pensions would not be cut, and described several actions the Senate has or is considering to generate the needed revenue. Among them: a legislative initiative to turn public lands over to the Retirement Fund, to make General Fund payments to the Retirement Fund mandatory. Even though it may not be possible to float a pension obligation bond today, he said the initiative providing for one should be passed so that when it becomes possible, the authority for doing so would be in place. Little by little, by doing the easiest things first, he said he believed the situation could be resolved. He made mention, more than once, of the lack of leadership in government, the absence of the governor or his representative from the meeting.

While Ogumoro also expressed concern on behalf of the House for the retirees and the Fund's active members - and said the House was open to working with the Senate - it seemed largely

perfunctory, pro forma. She focused almost exclusively on the promises of the casino gambling bill, returning to the subject again and again throughout the evening.

To their credit, both lawmakers stayed for the duration of the meeting.

Other than a show of hands from attendees in opposition to the governor's executive order taking over the Retirement Fund, no other action was decided upon. Cabrera suggested finding an attorney who would work pro bono, or on a contingency basis, to help the CRA determine its next steps but no vote was taken on the suggestion.

Whether Manglona's "little by little" approach would be enough to hold together the Retirement Fund and its assets, whether the House will support the Senate Initiatives, whether the Executive Order can be stopped remain unknown.

The third event this week was a hearing this past Monday at the Multi-purpose Center in Susupe where National Oceanic and Atmospheric Administration personnel presented their draft report on Coral Reef Ecosystem Monitoring for public review and comment. Often seen as "bad guys" for uninformed intervention in local matters, the "feds" took an undeserved beating that night. The report consists of an analysis of the survival potential of 82 coral species found around the world (40 of them found in CNMI waters) in the face of everything from global warming and acidification to sedimentation and over-fishing. The report makes no recommendations; it simply states the likelihood of injury, damage and death from the various factors.

The study was undertaken as a result of a "petition" by the Center for Biological Diversity, which claimed all 82 species should be placed on the endangered species list. NOAA's report is the first step in responding to that petition; it researched and has now issued a report on the species' present status. But the data only goes as far as 2009.

The purpose of this week's hearing was to solicit corrections to data that had been gathered, as well as more recent data, and to learn of new rules, laws, regulations that may have been implemented since the completion of the management study that was performed within the same time frame.

What they got instead was much long-winded oratory - not all of it in English - on topics such as the sanctity of the local waters to Carolinian and Chamorro culture, to its fishermen, to their livelihood; protests against the survey, against the Endangered Species Act, against the federal government; and pleas to remove all 40 local corals from the list, to transplant the endangered corals to the Northern Islands, to stop the bombing of Farallon de Medinilla.

Attendees were assured that in the Caribbean, where one species has been put on the endangered species list, there has been no curtailment of use of the surrounding waters - no sanctuary or marine preserve was established as a result of the finding. But that didn't stop the criticisms or the oratory.

One respondent did bring new material to the attention of the NOAA staff; another drew attention to the over-zealous nature of the Center for Biological Diversity.

Recommendations for action based on the survey findings are expected to be ready by the end of the calendar year, at which time another round of hearings will be held.

For those who'd like to contribute, the deadline for comment is July 31, 2012; comments should be submitted to < nmfs.82.corals@noaa.gov >. The full report is available at <

<http://tinyurl.com/8ygt9on> >.

Short takes:

- Saturday, 6/16 - First Marianas History Conference, "One Archipelago, Many Stories," at the Fiesta Resort and Spa, For a full schedule of events, see < <http://www.nmihumanities.org/> >.
- Monday, 6/18 - Humanities Council fundraiser at Azucena Room, Fiesta Hotel, 6:00 p.m. - 8:30 p.m. Featured speaker will be Father Fran Hezel on "The Changing Face of the Marianas." cost: \$25 per person includes drinks, hors d'oeuvres. Proceeds will be used to support the Council's future humanities programming and educational initiatives.
- Monday, 6/18 - Fund-raising performance of the Manta Ray Band at American Memorial Park, 6:30 -8:30 p.m. at American Memorial Park. Collaboration of 150 musicians from two countries, the Saipan Pacific Winds Concert Band, the Saipan Southern High School Manta Ray Concert Band, and the Hwasun School Brass Band from Korea will be featured. Tickets \$20 for adults, \$15 for youth available at P'Art School of Music, Brabu Pharmacy, the SSHS main office. Call 664-4000 for ticket reservations or for more information.
- Saturday, 6/23 - Special pre-hearing community outreach for Koblerville at Southern High School, 4:00-6:00 p.m.; Sunday, 6/24 from 4:00-6:00 p.m. for Dandan at Dandan Elementary School, on the USAF Draft Environmental Impact Statement for "proposed divert activities and exercises, Guam and the CNMI" at the Saipan International Airport and Tinian International Airport due to the potential impact on those communities by possible increase in aircraft-related noise.
- Monday, 6/25, 5:00-7:00 p.m. - USAF public hearing on at the Multi-purpose Center in Susupe on the USAF Draft Environmental Impact Statement for "proposed divert activities and exercises, Guam and the CNMI." Deadline for comments is July 23, 2012. The full report can be found at < <http://www.pacafdivertmarianaseis.com/> >. *Please note correction of url.*
- Every first Saturday for the rest of the year, from 8:00 a.m. - noon: Friends of the Library book sale at the JoeTen-Kiyu Public Library in Susupe.
- June 22-August 17 - Free family-friendly films twice a day every Friday at 2:00 p.m. and 6:00 p.m. in the Visitor Center auditorium at American Memorial Park. On June 22: *Brother Bear*, a 2003 Disney animated classic.