

On My Mind
11/16/07

Ever since the U.S. Constitution went into effect, it has been taught that the U.S. government consists of checks and balances that allow no branch of government (legislative, executive, judicial) to become more powerful than either of the other two. With state governments also composed of three branches, it has always been assumed that the same is true of the states - and state-like entities: their checks and balances allow no branch of government to become more powerful than either of the other two.

Now, as reported in Monday's *Saipan Tribune*, comes the head of the CNMI's executive branch, and unilaterally decides, for the entire Commonwealth, that short of funds as the CNMI is, it does not need or want the \$420,000 proffered by the U.S. Department of Interior to underwrite the costs of numerous law-related positions within the Department of Labor and Immigration, nor, presumably, does it want the additional \$500,000 also slated to come to the CNMI from Interior's Office of Insular Affairs, since it comes with the same conditions as does the lesser amount.

The governor is objecting to what he calls unreasonable and unnecessary conditions that have been written into the grant for its administration. But as has been pointed out, the purpose of those conditions - for example, that positions funded under the grant not be subjected to cuts in pay, in hours, or in any other way - is to ensure that the federal funds are used, in full, to support the federal grant, and are not siphoned away to meet local expenses.

Without those funds, however, the Department of Labor and Immigration will be severely stressed in its attempt to adjudicate and investigate the constant flow of labor issues brought before it. There is already an acknowledged backlog of labor applications. Without the additional staff that the OIA's grant monies would provide, the backlog not only of applications but of complaints and hearings as well, is bound to build up until the whole process collapses - and with it, the entire labor scene.

Unless, of course, Fitial has \$920,000 up his sleeve, that he plans to throw into the breach. Or the rumor really is true - that he is trying to bring the CNMI down to such a level that he can declare a state of emergency, and - goes the latest wrinkle thereto - is then free to waive the CNMI's procurement regulations and hand out contracts to Willie Tan and other friends to his heart's content.

Will it go that far? Fortunately, there is another principle at work here that may well be called into action under such circumstances. That principle holds that if states - or state-like entities - cannot or will not protect the rights of individuals within their borders, the federal government has the authority to step in and see that those rights are protected. Thus, it seems more likely, at least in the case of the operations of labor and immigration, that if DOLI ceases to function properly, the federal government will step in and take action in federal court to protect the rights of CNMI's foreign workers.</P>

Will it come to that? Only time will tell.

Just as there probably are more scholarships available to students than most seem to uncover, so are there probably more grants available to government agencies than they seem to find and/or make use of. And, it would appear, even when such grants are found - and occasionally awarded - inadequate follow-up causes most of the benefits to evaporate sooner or later.

Such is the case with the JoeTen-Kiyu Library's huge Administration for Native Americans grant received several years ago that funded and supported the recently built children's wing, for example. The grant has expired, and without renewal, the library no longer has funds to support key staff and operations that had helped the library become such a vibrant part of the community.

Allegedly, Northern Marianas College also lost an ANA grant - this time because the CNMI government could not process, in a timely manner, the paperwork to pay the grant's newly hired director. Similar incidents have been reported in connection with health-related grants.

Some agencies seem to do rather well - the Division of Fish and Wildlife, the Division of Environmental Quality, the Coastal Resources Management Office, the Public School System. But others - primarily, it would appear, agencies involved with the softer sciences such as historic preservation, cultural preservation, librarianship, museums and art - do not. In some circles, it would appear, it is apparently neither understood nor recognized that grant writing is a skill that requires a knowledge base, experience and a fluency in written English that not enough islanders have yet acquired. As a result, when misguided personnel policies - in an effort to promote local hiring - result in the non-renewal of those people (often haoles) in their offices who have been responsible for writing grants, those agencies lose out - both in renewal of existing grants and in the receipt of hundreds of thousands of dollars in new grants.

There is no shortage of grant money - federal and private - that could help such agencies enhance the level of professional guidance, services and activities they offer the local community. All it needs is an experienced grant writer - and properly functioning personnel procedures.

Short Takes:

It's not too early to think about the upcoming U.S. elections for president, scheduled for November of 2008. As some people will remember from three years ago, there is a "loophole" in federal law that permits those U.S. citizens residing in the CNMI who can lay claim to a U.S. address at some point in the past to vote - by absentee ballot - for U.S. president even though they are registered to vote in the CNMI. In fact, it appears that they can also vote in the primaries - provided they are willing to align themselves with a specific party.

All the information on how to register - in new and easy-to-use format - can be found at < <https://www.overseasvotefoundation.org/home> >. Since some primaries are

really early, it's a good idea to check it out now - for Washington, D.C., for example, the deadline is January 14, 2008.

*

Haste, I would suggest, is also necessary in getting Senate Bill 15-100 passed and on the books. The bill proposes a marine sanctuary at so-called Eagle Ray City - a local dive site where eagle rays are often found. Seems some greedy, unthinking divers have been taking the rays as food, and the population is dwindling. Please save the rays! Please hurry up and pass the law making their taking illegal!

*

Nor is it too late to contribute to radio station KRNM's on-going fund drive. KRNM is the CNMI's only public radio station. That means there are no commercials - the station operates on public funding. Much of it comes from Northern Marianas College, but those funds have shrunk of late, and it is more important than ever that the public show it cares about and supports public radio for the CNMI. Call KRNM at 234-KRNM to make a pledge, call NMC's Finance office at 234-5498, ext 1012 to charge your contribution to a credit card, or write a check to KRNM/NMC, P.O. Box 512250, Saipan, MP 96950. If you enjoy Car Talk, jazz, Fresh Air, Le Show, Classic Guitar, and similar shows - and want to continue being able to hear them - it will only happen if you and enough other members of the public chip in to support their airing. Do it now!

*

Sadly, it is too late to participate in PIALA - the Pacific Islands Association for Libraries and Archives - which had its annual meeting on Tinian this past week. With so few professionally trained librarians on Saipan, perhaps its not surprising that none, apparently, made it to Tinian, but judging from the reports, none of the library staff on Saipan made it there either, thereby missing an opportunity for further training, for exchange of ideas, for partnership opportunities. Does anyone even care?

*

And speaking of ignorance, it would appear that CNMI's governor is not familiar with the old adage about attracting bees with honey rather than vinegar - see his diatribe against Ombudsman Jim Benedetto, as well as OIA's David Cohen, in Thursday's *Saipan Tribune*. Problem is, his ignorance hurts us all.

*

New movies: one G, "Mr. Magorium's Wonder Emporium" (not well reviewed by the rotten tomatoes site - but then neither was "Bee Movie," which is the top money-getter this week) for a total of three R's, three PG's and one G.

*