

January 15, 2007

Dear people of the Commonwealth,

The U.S. House of Representatives has recently passed a bill extending the federal minimum wage hike to the Northern Mariana Islands in increments over time. There is also talk that U.S. Congress is seeking to federalize our immigration and labor system. In the midst of all this political tumult, we find ourselves in the throes of an economic crisis.

If there was ever a time to be brutally honest with ourselves and each other, that time is now. And the truth is, we are all responsible for the mess we are in. Mr. Cohen of the Department of Interior has said the problem is that U.S. Congress doesn't know who we are. That is only part of the problem. From the 24 questions they've asked Mr. Cohen to answer, it's clear that they do in fact have a very good idea of what is happening here. Moreover, even if U.S. Congress does have a distorted or incomplete perception of who we are -- the fact is that it is our own fault for earning that image in the first place. For years our government and business leaders have made misguided and outright corrupt decisions that have hurt all of us, and for years, we have allowed them to. It is time to own up to the mess we have all played a part in creating.

What is the mess that I speak of? To name a few examples:

- A bloated, bankrupt, and wasteful government that has resulted in failing public services;
- An extremely permissive and mismanaged immigration and labor system;
- An economy that is dependent on cheap imported labor, with large income gaps between the private sector workers (most of whom are nonresidents) and the public sector workers (most of whom are residents);
- Millions of dollars leaving the Commonwealth every year in guest worker remittances;
- A rent-based economy that discourages meaningful, long-term investment in the Commonwealth;
- A minimum wage that has stagnated for years at \$3.05 despite a steadily rising cost of living; and
- A continuing 'brain drain' -- the best-educated, highly-qualified, most talented members of the community leaving the Commonwealth due to limited job opportunities, inability to compete against guest workers willing to accept low wages, and frustration with the "who-you-know-not-what-you-know" system that persists here.

It is time we finally admitted, as a community, that all this political and economic turbulence has been years in the making. I fear, however, that our political and business leaders continue to react to the problems we face with the same old attitudes and non-solutions that created this chaos to begin with. I fear that they will receive this letter with the same reactionary, defensive positions that they have taken with previous challenges to the status quo. I also fear that the rest of us will simply allow them to do so, as we have always done in the past.

The point of this letter is not to merely find fault, but to examine how we have all played a role in the Commonwealth's crisis, and to make the case that if we are sincere in our desire for meaningful solutions, we must *all* play a role in determining the course of change. No one person has all the answers, and we may never be able to agree on everything. But what we need more than anything right now is for caring, intelligent people to speak up: to stand by their convictions, to voice their discontent openly and honestly, and to take direct action for far-reaching change. This letter is a call for action.

Change begins with honesty. How did we get here? Failed leadership has been a major part of the problem -- namely, in the chronic refusal of our elected officials to accept responsibility for their mistakes; in their widespread and continuing abuse of the public trust; and in their habitual lowering of standards for positions that are critical to the economic wellbeing of the Commonwealth, in favor of unqualified but politically well-connected individuals.

Let us begin with our leaders' refusal to accept responsibility. Passing the buck, pointing the blame elsewhere, and postponing decisive action have been their classic responses to criticism and crisis. Have labor abuses been uncovered in the CNMI? "But it's so much worse in China." Is there evidence that our immigration officials have been unable to effectively control our borders? "Well, the United States can't control illegal immigrants from Mexico either." Should the CNMI's minimum wage be raised at long last to keep pace with the rising cost of living? "What about American Samoa?" or, even better, "How about yet another wage review board to conduct assessments of the economic situation?" Do the CNMI's critics have some valid points to make about our failed policies? "Let's hire yet another lobbyist to improve our image." Our leaders are not absolved of responsibility by pointing out other places that are worse, by delaying necessary decisions, or by hiring lobbyists to beg and wheedle on our behalf.

Then there is the widespread -- and continuing -- abuse of the public trust. This abuse may be outright illegal or simply wasteful, but the result is the same. Our elected and appointed officials have always treated public funds as if it were free money for them to dispose of as they wished. Even in a time of government bankruptcy, money continues to be spent on new hires, nonessential agencies and programs, and junkets. Is it really necessary to send any politicians on emergency trips to Washington D.C.? (Isn't that what our Washington Representative is for?) Does anyone know what the various "Affairs Offices" for indigenous people, women, and youth actually accomplish? Should \$100,000 be spent on Youth Congress, essentially training our young people to perpetuate the problems of wasteful government spending? Is it right that each lawmaker be allowed a \$135,000 discretionary fund to spend on things that have little to do with the job of policymaking, such as tables and tents, bush cutting equipment, or staff with ambiguous jobs and responsibilities? Does the Board of Education really deserve a higher compensation rate than any other board, especially when the public schools they oversee are floundering? Do we really need Municipal Councils and mayors on every island for a total Commonwealth population of less than 80,000? Before wages were cut across the board (with numerous exemptions, of course), why was there not a

government-wide desk audit first, and why did our leaders not first trim the obvious layers of fat?

And then there is the constant lowering of the bar for critical, high-ranking, and technical positions, in favor of politically well-connected individuals. To name just a few examples, our leaders did it for the Commonwealth Ports Authority directorship, and they are trying to do it again for the Public Utilities Commission directors -- even with our utilities in complete disarray, largely due to mismanagement. But why? Are we really better off with unqualified (but politically connected) individuals calling the shots for essential public services, rather than qualified, competent individuals (on-island or off-island) who can provide leadership, technical expertise, and training for their staff? We don't lower qualifications for doctors, lawyers, or other professionals, and we are willing to recruit off-island if there are not enough qualified applicants on-island. Why can't we do the same for government boards and directorships? But, alas, it makes perfect sense that our leaders would make such concessions when we consider that they, too, might have no business being in their positions, and no qualifications to speak of.

But just as our leaders have been part of the problem, so have we, the people of this Commonwealth, because we have allowed them to be. We vote them into office, and then we are silent when they misrepresent us. Our silence implies our consent of all the foolishness, crimes, and absurdities that have been committed in our names.

How do the unethical, incompetent, and shortsighted individuals among us rise to power in our Commonwealth? First and foremost, we, the people of this Commonwealth, create the political climate that makes that possible. It begins with the widespread belief that we are entitled to handouts from the government. Ask any politician, and he will tell you that people call him asking for jobs, tents and tables, donations for baseball teams, drinks for parties, money to help them pay their utility bills, assistance clearing their yards, etc. They should not be in the business of giving any of these things using taxpayer dollars, but we should not be asking for these things in the first place. How many of us have voted for the politician who threw the biggest parties and gave out the most beer? How many of us have voted, not for the ones we thought could do the job, but for the ones who were merely our relatives? How we determine our choices for leadership is directly related to the quality of leadership we get. If we elect incompetent representatives, we deserve incompetent representation.

It has been widely said that the last election amounted to voters having to decide who among all the individuals running for office were the least of evils, and that the next election will be more of the same. How do we choose among candidates with a) proven records of wasteful spending; b) criminal records or allegations against them; c) proven or alleged ties to powerful and/or corrupt industries or lobbyists; d) no real political platforms; and e) no record of real leadership to speak of, only large family connections? How can anyone who fits any of the descriptions above have the audacity to run for office, and how do they receive the endorsement of their parties? If our choice is to either vote for useless and corrupt politicians or not vote at all, what kind of choice is that? Why give any of these people a mandate to represent us? Rather than simply

accept the slate of candidates that we are given by the parties, why don't we demand better options?

Then there is the problem of our silence in the midst of crisis. Our silence is perhaps the single greatest threat to the future of the Commonwealth. Why have we been so quiet in the face of blatant corruption and failed leadership? I can think of at least three reasons: fear, cynicism, and an unquestioning acceptance of what we are told.

Let us begin with fear. What is it that we are so afraid of? I have heard many people say that they are afraid to speak their minds for fear of losing their jobs. For those who are government workers, it is no secret that people who happen to pick the wrong political party to support end up harassed, transferred, not renewed, etc. But if we are truly competent, and truly qualified for the posts we hold, why should we be afraid? If we are harassed for exercising our freedom of speech, don't we all have every right to file grievances and sue? If all of us who feel harassed for speaking up sue and make our ordeals public, what will our persecutors do?

"But I have a family to support, and bills to pay." I have heard this justification for silence as well. It seems to me that having families would make it especially imperative to raise our voices now. If we have children to think of, wouldn't we want to teach them to speak up for themselves and stand by their convictions? Wouldn't we also want to create and pass on to them a much freer and more prosperous community than the one we have now?

Perhaps we are afraid of direct confrontation. Perhaps we are related to the people with whom we disagree, or we do business with them, or they are our friends, and we are reluctant to offend them. But if the people we are afraid to confront are wrong, misguided, corrupt, and worst of all, *speaking on our behalf*, why should *we* be the ones to be silent? In times of such dire crisis, if we believe we have better ideas, can we really afford to be afraid any longer?

Perhaps we are afraid to speak up because we think that we do not have enough education or worldliness to do so. Perhaps we are hesitant about our abilities to express ourselves clearly and effectively, or maybe we believe that we simply do not know enough or have what it takes to tackle the complex problems of the Commonwealth. But if common sense and conscience tell us something must be done, that is a start, and coming together as a community to find the solutions we need is the next critical step. No one among us has all the wisdom, skills, or knowledge that it will take to solve this crisis alone. We have to pull all our gifts together, including our good judgment and sincerity, and we have to be willing to learn from each other.

Perhaps we do not speak up for fear that we ourselves will be exposed for wrongdoing or dishonesty. Maybe we ourselves have benefited unfairly from the "who-you-know-not-what-you-know" way of doing things in the islands, and we are reluctant to be the ones in the glass house throwing stones. If this is the case, then let's be honest about our mistakes, and let's focus on moving forward to solutions. No one among us is perfect, no

one is above reproach. I would venture to say that all of us have played the system in one way or another in order to get by. It is up to all of us now to change the system, and we can begin by changing ourselves.

And then there is the problem of cynicism. We believe that raising our concerns openly will do no good because no one else will have the courage to stand with us. Then it will be very easy to be targeted by the powerful people we criticize, or ignored as a lone voice in the desert, and why should we be the ones to suffer? But we are already suffering, every one of us in the Commonwealth. If we believe we can do no good, we are right – but only because we have defeated ourselves. If we submit to cynicism now, and if we cause others to become cynical, we have lost the battle for our Commonwealth before it has even begun. Nothing will change, no good will come about – and yes, things will get worse.

So let us imagine what the worst case scenarios would be, if we do speak up. Let's say we lose our jobs. What are our options? We can file lawsuits in defense of our freedom of speech, we can try to find new jobs, preferably on-island, and we can try to start up businesses of our own. Our Commonwealth has so many needs that have yet to be addressed, and when businesses leave or shut down, there will be even more niches to fill. If we have the creativity, the determination, and the courage, we always have options. Our rights to speak freely should not be held hostage by our jobs.

Now, some of us may opt to leave the Commonwealth in search of greater economic opportunities. Many of our people have already done that, having moved to Guam, Hawaii, or the U.S. mainland, joined the armed forces, or gone back to school. No one can blame them for wanting to have the means to support themselves and their loved ones better. For those of us who opt to leave, let us resolve to continue to speak our minds freely from wherever we are, and let us also resolve to someday come back to help rebuild our islands. For those of us who stay, our duty to speak up has never been more urgent. Whether on island or living abroad, each one of us can play a vital role in shaping the future of our Commonwealth.

And now we come to the third major cause of our silence: too often and too quickly, we believe what we are told. We fail to ask critical questions of the government, of our business leaders, and of prominent members of the community. There are many examples, a recent one being our failure to thus far question the Indigenous Entrepreneurs Inc., which is leading the Saipan Casino Initiative. The Indigenous Entrepreneurs propose to create a for-profit Northern Marianas Descent Investment Corporation, which will be the sole and perpetual licensee for casino operations, and only people of Northern Marianas descent will be allowed to be incorporators, directors, shareholders, and supervisors. They also claim that casinos are the Commonwealth's only hope for economic salvation. But what evidence do they offer for this claim? Who are the Indigenous Entrepreneurs, who are they representing, do they have any financial backing (and if so, from whom), and what personal interests or motivations might they have? Who decides who gets to be on the Northern Marianas Descent Investment Corporation's board of directors? How exactly will people of Northern Marianas descent benefit, and

why are *only* people of Northern Marianas descent allowed to be owners and managers of the Corporation?

Another example is the issue of the impact that a minimum wage hike would have on our economy. The Saipan Chamber of Commerce, the garment industry, and our elected leaders for years have been saying that raising the minimum wage too much, too quickly, or at all would destroy the economy and the garment industry, and that we needed the garment factories in order to survive. They said these things even when the economy was flourishing, and they are saying these things again today. We, for our part, have failed to question the facts and figures they have given us, even when their biases and motivations are obvious.

But what is so scary about raising the minimum wage? Why were our business leaders willing to swallow the overnight doubling of power rates, but have all these years been up in arms about raising the wages of their workers? If we move forward with a minimum wage increase, why should we make special exemptions for the garment industry, or any industry, as the Saipan Chamber of Commerce and the Administration have proposed? If an industry is failing because it cannot compete with its counterparts in other nations and cannot survive under the minimum conditions required of all other industries in the Commonwealth -- is this really an industry we want to continue to accommodate? If we lose the garment industry sooner rather than later, is it possible that the money saved in reduced impacts on public infrastructure and the environment might make up for the money lost from user fees and taxes?

And what about our house workers, nannies, and farmers (many of whom make \$300 a month and work 12 or more hours a day) -- what if we lose them with a minimum wage hike? Is it really such a scary prospect to clean our own homes, raise our own children, and grow our own food? Is it possible that \$300 per month per family can have a very positive effect on the economy if it stays on-island -- creating new markets for professional daycare and housecleaning services, for example, or freeing up money for other goods and services? If it is more difficult to bring in large numbers of cheap foreign workers (especially if our immigration and labor system is also revamped), is it so frightening to imagine that businesses might be forced to hire and train residents and pay them a living wage?

Yet another example: Article XII. Land ownership in the Commonwealth is an emotionally-charged issue, and for that reason people are often unwilling to question or debate it. But if Article XII is a barrier to meaningful and long-term development, the crisis we face demands that we begin asking those uncomfortable questions. Article XII proponents claim that the law protects indigenous rights and that the landowning people of Northern Marianas descent are not savvy enough to protect themselves from being shafted by greedy real estate investors. Rather than allow the outright sale of land, they prefer to extend the current 55-year leases to 99 years instead, and they argue that outside investors should not be deterred by restrictions on land ownership. But who are the indigenous people whose rights are supposedly being protected, and exactly which rights are we talking about? Why are people of Northern Marianas descent not savvy enough to

sell their land, but savvy enough to lease it for 99 years to whomever they please? Who decides when people are smart enough to manage their own property? How does it help or empower the landowners of Northern Marianas descent to keep the value of their property artificially low and to restrict their rights to make decisions about their own property?

As for the argument that Article XII does not hinder development because there are still investors who are willing to sign leases for land -- this may be true, but the question that has not been asked is, "What kind of investors does Article XII ensure we attract?" Who would be attracted to a place in which they are unable to own land, and in which there is a climate of lawlessness, corruption, and economic desperation? In short: the kinds of businesses with no interest in a long-term investment in the Commonwealth, with minimum to no regard for the law or the environment, or the community into which they have entered. These are the businesses that will enlist the partnership of unscrupulous local representatives to gain access to dishonest government officials and unfair perks. This description does not by any means apply to everyone who has ever done business in the Commonwealth, but I will bet that for every questionable "development" project (and I use the word "development" very loosely), we will find a chain of shady businesspeople, linked up with dishonest local representatives, linked up with crooked government officials. What intelligent, legitimate businessperson in his right mind would be seriously interested in making long-term investments in a community whose government doesn't enforce its own laws fairly and equitably, and doesn't even allow him to own the property in which he invests?

One does not need to look very hard to see the impacts of Article XII all around us. Have we noticed the gradual decaying of our islands? Take a walk down Middle Road, go into the blighted, dilapidated areas of villages like San Antonio or Chalan Kanoa, or drive anywhere around the island and count all the empty strip malls, generic office buildings, vacant lots, crumbling facades, shanties, and shoddy construction projects that we see. Have we ever wondered why and how, throughout all our villages, the building next door that was once home to a family of four can overnight become X Poker Palace or Y Auto Shop? With few economic opportunities, limited capital, no enforcement of zoning laws, and an inability to sell land at the fair market value, landowners of the Commonwealth who want to develop their properties have few options but to rent to anyone who shows interest. And what high-quality investor would be interested?

The issue of federalization -- which has prompted this letter, which has triggered a panic among our business and political leaders, and thrown this entire Commonwealth into confusion -- raises yet another example of our failure to ask critical questions. U.S. Congress proposes to extend a federal minimum wage, and possibly a federal immigration and labor program, to the Commonwealth, and our immediate reaction is to beg them to reconsider, to create a federal wage review board to tell us how to implement a wage hike, to give us time to conduct more studies, and so on. But suppose we check their premises? Suppose we question the legality of imposing federal law on us without our consent, and when we lack representation in Congress? Suppose we go back to the Covenant, and the promises of self-government for the Northern Mariana Islands, and

suspend the application of the federal minimum wage law in our Commonwealth, either through our own elected officials, or in a plebiscite? Is it possible that we could argue “No federalization without representation?”

Now, having said that, I should add that I am glad U.S. Congress has put such a spotlight on our wage, immigration, and labor problems, because for years our leaders have lied to them and to us and evaded responsibility for making the necessary reforms. I am glad that U.S. Congress has challenged our right to self-government, because we have not even proven to ourselves that we are capable of effectively managing our own affairs. Fighting for self-government is a battle that must be fought not just in the U.S. Capitol, but here in the Commonwealth as well. If we believe that a minimum wage hike is long overdue, we, the people of the Commonwealth, must say so -- and demand that from our elected officials. If we believe that our immigration and labor policies badly need an overhaul so that we might develop an economy that is not dependent on cheap imported labor but rather on qualified, hard-working, and honest residents who earn every dollar they make, whether in the private sector or the government, then we must demand those reforms. We must prove that we can do it ourselves, and that we don't need the federal government to do it for us or to tell us how to do it. Who knows, the changes we fight for may very well look like the same changes that U.S. Congress proposes for us.

This much is true: the status quo has failed us, and we have nothing to fear in challenging it. As citizens, as residents, as taxpayers of the Commonwealth, we have more power than we think -- far more power than we have ever exercised. We can do more than just complain in private about the decisions our elected officials make, and wait and hope for change in the next election. Elected officials only have as much power as we give them, and it is up to us to demand the representation we deserve. Protests, rallies, civil disobedience, letters, petitions, lawsuits, intelligent voting, participating in public hearings and legislative sessions, and even running for office -- these are just a few of the options we have for taking direct action to realize the changes that we want. And it wouldn't be the first time that our community has rallied together for a cause -- some notable examples include the Save Sugar Dock campaign, the Micro Games of 2006, and the Beautify CNMI! coalition. These efforts prove that as ordinary citizens we are more than capable of mobilizing to achieve tremendous success when we are focused, determined, and undaunted.

And so I put forth this call for action. The action that I propose begins with speaking up: let us begin holding public forums to fearlessly discuss the problems of the Commonwealth; to come up with constructive solutions and present them publicly and energetically; and to ask critical questions and demand accountability from our leaders, and especially those officials who have been exposed in the media for corruption and waste. Let us also publicize everything we discover through letters, rallies, signature drives, and other means, so that the greater community may be informed, and to ensure that our demands for change are actually heeded. Now more than ever we need to engage each other in honest dialogues about the changes we want, and to have the courage and the conscience to stand by our convictions. Together we can devise a plan of action that is truly representative of the people of this Commonwealth -- not merely a “unified

position” of business interests and politicians.

I propose the following ground rules for such public forums:

- Everyone who calls the CNMI home has a right to speak. No racism, sexism, ageism, elitism, xenophobia, or other forms of bigotry. Freedom of speech does not discriminate. One of the worst crimes we commit against ourselves is telling others to be silent.
- Put the Commonwealth first. Leave personal, political, and business interests at home. Come to the forums as a member of the community, nothing more and nothing less.
- Be honest and direct. Rather than beating around the bush, complaining in private, or backstabbing, we should confront the issues or individuals we are facing directly. We should say exactly what we think, and why, and be honest if we believe that others’ choices or beliefs are misguided.
- If others call us on mistakes that we have made, we should acknowledge them honestly, accept responsibility, and move forward with solutions.
- Be professional and respectful, and stick to the facts.
- No propaganda, political campaigning, personal grievances, intimidation tactics, or vendettas.
- Assume nothing, question everything. We should ask questions that are at least as tough and as probing as the questions U.S. Congress has asked of us. Rather than trust everything we read in the papers, hear through the grapevine, or receive from individuals with personal interests at stake, we should go directly to the source, get our own answers, and make our own rational judgments.
- Expect, and welcome, criticism. We don’t have to agree on everything.

I don’t expect anyone who reads this to accept and embrace everything that I have written here. In fact, I hope that this letter is questioned and criticized as much as anything else should be. But if others share my conviction that our community is in crisis, that we must abandon our fearfulness, and that the time to begin speaking up openly and bravely is now, please join me in fighting the good fight for our Commonwealth. You may contact me at tinasablan@gmail.com, or call me at 233-0770.

We have been silent long enough.

Tina Sablan