Political Reviews

Micronesia in Review: Issues and Events, 1 July 2012
to 30 June 2013
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GUAM

National and local elections featured prominently in news stories in Guam this year, as local offices and Guam’s nonvoting delegate to the United States Congress were on the ballot. The island’s incumbent, Congresswoman Madeleine Z Bordallo, faced challengers in both the Democratic primary and the general election and prevailed against both. In the September primary, the five-term incumbent faced twenty-seven-year-old newcomer Karlo Dizon (MV, 14 May 2013). Despite Dizon’s spirited campaign, Bordallo won 73 percent of the vote. Running unopposed in the Republican primary was the minority leader of the legislature, Senator Frank Blas Jr. Facing off against each other in the general election, Bordallo emphasized her experience and seniority while Blas said that he offered a “fresh perspective.” Among the campaign issues debated were veterans’ services, the proposed visa waiver for tourists from China, and Medicaid reimbursements. Blas was critical of the lack of progress in securing millions of dollars due to Guam in compensation for the impact of immigrant consumption of local government services, as provided for according to the terms of the Compacts of Free Association with the Federated States of Micronesia, Palau, and the Marshall Islands. Another major issue was the military buildup resulting from the transfer of the US Marine units from Okinawa to Guam (MV, 28 Sept 2012). As in the primary, Bordallo won the general election handily, this time garnering 58 percent of the vote.

Democrats controlled the Guam Legislature by a 9 to 6 margin going into the November elections. When election results came in, voters had again chosen a 9 to 6 Democratic majority, although one-third of the legislature was replaced. The turnover in one seat was due to Frank Blas Jr choosing to run for the US Congress rather than for reelection to the legislature. However, four other incumbents were defeated, namely, Republicans Mana Silva-Taijeron and Sam Mabini and Democrats Judith Guthertz and Adolpho Palacios. Elected as freshman senators were Republicans Tommy Morrison, Mike Limtiaco, and Brant McCreadie and Democrat Michael San Nicolas. After a two-year hiatus, veteran Senator Frank Aguon Jr was also elected. When the new legislature was inaugurated, the Democratic majority retained the leadership of Speaker Judith Won Pat, Vice Speaker Benjamin Cruz, Legislative Secretary Tina Muna-Barnes, and Majority Leader Rory Respicio. Senator Tony Ada was chosen by Republicans to succeed Blas as minority leader (32nd Guam Legislature website).

Although Guam residents do not have the right to vote for president of
the United States, they do participate in the process by sending delegations to each political party’s national convention. In August, Governor Eddie Calvo led the Republican (GOP) delegation to their convention in Tampa, Florida; he supported Mitt Romney (PNC, 29 Aug 2012), whose son had campaigned in Guam earlier in the year during the heated race for the GOP nomination (Politico website, 9 March 2012). Attending the September Democratic National Convention in Charlotte, North Carolina, the Guam delegation, led by Rory Respicio, supported incumbent President Barack Obama. Respicio explained that the delegation focused on promoting the island and addressing important Guam issues such as the military buildup, protecting Medicare, and access to federal programs. He also pointed out that the Democratic platform, approved in Charlotte, called for a partnership with Guam’s people with respect to military matters including the buildup, supported fair treatment in federal programs for Guam and the other territories, and recognized Guam’s right for self-determination (PNC, 6 Sept 2012).

Another 2012 campaign that received a great deal of attention was the race for the nonpartisan position of public auditor. Since its creation twelve years earlier, the post has been held by incumbent Doris Flores Brooks. In the run-up to the primary, Brooks had no opponent and reportedly lobbied the legislature to cancel the primary election for that office. This prompted former Governor Carl T C Gutierrez to launch a write-in campaign for the primary election in hopes of securing a spot on the November ballot (MV, 18 Sept 2012). When the votes were counted, Gutierrez’s write-in candidacy received 4,842 votes compared to 14,472 for Brooks. Later in September, the Democratic Party asked Gutierrez to withdraw his candidacy for public auditor in order to help with the upcoming legislative and village mayoral races. Gutierrez withdrew and explained that one of the reasons he had decided to challenge Brooks was to draw attention to what he felt was an often overlooked office; as he stated, “At least now the people of Guam know that there is this Office of Public Accountability that could be the third-party intermediary to find out what’s going on with this government” (PNC, 14 Sept 2012).

Because of the nonpartisan requirements of the public auditor position, in August Gutierrez resigned his post as state chairman of the Guam Democratic Party (PDN, 7 Aug 2012), automatically making vice chair and longtime Democratic stalwart Gloria B Nelson the new party chair. Nelson was an elected member of the Consolidated Commission on Utilities and past chair of the elected Board of Education and the Election Commission (kuam, 14 Oct 2012). But in October, she passed away. The party’s Central Executive Committee then selected Darryl Taggerty to serve as acting Democratic chair until new elections in August 2013 (kuam, 8 March 2013).

Aside from Nelson, other prominent members of the community who passed away during the year under review were educator and researcher Dr Dirk A Ballendorf, former senator and historian Dr Tony Palomo, former Chalan Pago Mayor Vicente Aguon,
former Umatac Mayor Dean Sanchez, and former Agat Mayor Jose San Nicolas (condolence resolutions, 32nd Guam Legislature website). In June, two Guam National Guardsmen serving in Afghanistan—Sergeant Eugene M Aguon and Specialist Dwayne W Flores—were killed when their convoy was attacked (Saipan Tribune, 22 May 2013). The deaths highlighted the deployment of more than six hundred Guam Army National Guardsmen to Afghanistan, which had occurred earlier in 2013 (PDN, 1 Feb 2013).

In February, in his State of Our Island address, Governor Calvo announced that the government’s chronic deficit had been “eliminated.” He attributed this to good management and spending controls, including a reduction in the number of government employees (PNC, 11 Feb 2013). Democratic leaders in the legislature, however, pointed out that this had actually been accomplished by shifting the deficit to long-term debt through the issuance of hundreds of millions of dollars in bonds (MV, 12 Feb 2013). Despite concerns about the impact of the threat on tourism, it seemed to have none (PRI 2013). In April, it was reported that 137,000 tourists had visited Guam in the previous month, breaking all records for the past fifty years for tourism on the island. Visitor arrivals for the year at that point were up by 9 percent over the previous year (KUAM, 9 April 2013).

As to the military buildup itself, Admiral Samuel J Locklear III, commander of the US Pacific Command, stated that current planning calls for completing the relocation of US Marines from Okinawa to Guam by 2020 (PDN, 6 March 2013). Pentagon officials eventually backed away from this date and admitted that the federal sequestration cuts would greatly slow down implementation of the buildup (PNC, 17 April 2013).

A controversy related to the buildup was caused when, in his last public appearance, the outgoing US Navy commander on Guam, Rear Admiral Paul Bushong, made several statements regarding Guam’s history and the military buildup. For one, he called on local leaders to “man up” “The KPA [Korean Peoples’ Army] Strategic Rocket Force has already been on A-class alert to wipe out the U.S. forces and reduce their bases in Guam and other regions to ashes” (PDN, 29 March 2013). In response, the United States deployed a missile defense system to Guam. The threats caught the attention of local residents, but there was no general sense of panic. However, in an interview with CNN, Governor Calvo noted that “one lucky shot from a North Korean missile could do a lot of damage to our island home” (PNC, 5 April 2013). Despite concerns about the impact of the threat on tourism, it seemed to have none (PRI 2013). In April, it was reported that 137,000 tourists had visited Guam in the previous month, breaking all records for the past fifty years for tourism on the island. Visitor arrivals for the year at that point were up by 9 percent over the previous year (KUAM, 9 April 2013).

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with respect to the buildup. He also went on to dispute Guam’s status as a colony, stating, “The United States of America never made Guam a colony and only put enough resources into Guam to make it stable.” He also said that he was “puzzled” by the discussion of self-determination, noting that local leaders in 1950 had sought the passage of the Organic Act, which provided limited self-government and US citizenship, and therefore, in his estimation, “self-determination was made 65 years ago.” These comments were repeated and endorsed by former Pacific Daily News publisher Lee Webber in his newspaper column (PDN, 2 Aug 2012).

This prompted a number of rebuttals, including from the family of late Speaker Carlos P Taitano, who was one of the leaders in 1950 who had fought to end US naval government rule and provide for a democratically elected government and US citizenship. In their response, the family asserted, “Contrary to how Bushong portrayed it, this was not an act of self-determination but a striving for civil rights and human rights. As our father explained to us, if you are in a desert and looking for water, that is not self-determination—that is just survival. Guam still has not determined its ultimate political status whether it be statehood, independence, or something in between. As painful as it is to consider, we continue to be governed by a President we did not elect and a Congress we have no vote in, which amounts to being a colony” (PDN, 11 Aug 2012). (Supporting this analysis, in January 2013, the United Nations General Assembly adopted Resolution 67/132, recognizing the right of self-determination for all entities on the UN list of non-self-governing territories, which includes Guam.) The Taitanos’ rebuttal went on to sharply criticize Bushong for his lack of knowledge of the “true history of our island” and Lee Webber for characterizing Bushong’s statements as accurate (PDN, 11 Aug 2012).

In January 2013, the issue of self-determination was again in the news when Guam’s US District Court Chief Judge Frances Tydingco-Gatewood dismissed a lawsuit filed by local resident Dave Davis, who had claimed that his civil rights were violated when he was denied registration to participate in the planned self-determination vote on Guam’s political status because he did not meet the definition of a native inhabitant of Guam (PNC, 9 Jan 2013). Davis subsequently appealed the ruling to the 9th Circuit Court, which had not accepted the case as of June 2013 (PDN, 3 Feb 2013).

The long-standing issue of World War II reparations came to the forefront in January when Congresswoman Bordallo reintroduced HR 44 to fund compensation for victims of the Japanese occupation of Guam during that war. In the treaty with Japan that ended the war, the United States had waived all claims, including those of the people of Guam, and assumed responsibility for war reparations (Guam Legislature Resolution 4-32). To fund payment of these claims, Bordallo’s bill proposed to offset it with the annual Section 30 appropriation to Guam by the US Congress. Section 30 funds come from taxes collected from federal employees on Guam that are subsequently remitted to the local
government and are a major source of revenue. Senators raised concerns about the Section 30 provision and objected to it being used as an offset (MV, 8 Jan 2013). At a public hearing, Bordallo explained that the offset language was necessary in order to move the legislation through Congress but that she would work with the Obama administration to seek a separate appropriation for war claims without affecting Section 30 funds (PNC, 31 Jan 2013). Largely based on Bordallo’s assurances, the legislature approved a resolution sponsored by Respicio supporting Bordallo’s efforts to secure war reparations (Respicio, pers comm, 19 April 2013).

In November 2012, US Department of Interior Assistant Secretary for Insular Affairs Tony Babauta had been placed on administrative leave pending an investigation into his travel and grant decisions. Babauta, a Guam native, was the first Chamorro to have held this post (Saipan Tribune, 22 Nov 2012). Although no formal report of the investigation was released, Babauta resigned his post effective 1 February 2013 (Washington Post 2013).

The predominately Catholic community of Guam responded positively to the election of Pope Francis I. Archbishop Anthony Apuron noted that the new pope was a Jesuit like the Spanish priest Diego Luís de San Vitores who had brought Catholicism to Guam and is now a candidate for sainthood. Students at a local Catholic school, St Francis, were excited because the new pope had the same name as their school (PNC, 14 March 2013).

In a crime that shocked the community, in early 2013 Guam resident Chad De Soto plowed his car into a crowded sidewalk in the island’s hotel district and then began stabbing people (Huffington Post, 14 Feb 2013). Three Japanese tourists were killed and a dozen other people were injured in the attack (PDN, 23 Feb 2013). Subdued by security guards and bystanders until police arrived (PDN, 27 Feb 2013), De Soto was charged with murder and held on $2 million bail (Huffington Post, 14 Feb 2013).

In other crime news, island residents were riveted by an unfolding police corruption and human trafficking case as three police officers were arrested for their involvement with an illegal brothel known as the Blue House. The brothel owner, Song Ja Cha, had been convicted in federal court of twenty charges related to human trafficking and prostitution. The federal judge trying the case stated that Cha’s crimes were “not far removed from slavery.” In the course of the trial, a federal prosecutor asserted that Cha had used three Guam police officers as “tools” and “weapons” to create a “climate of fear” in order to control the brothel owner’s victims. After a series of media stories about this case, the Guam Police Department (GPD) began an internal investigation, resulting in the arrest of three GPD officers, who were charged with promoting prostitution, conspiracy to commit kidnapping and rape, and attempted rape (PDN, 13 April 2013).

The new private hospital currently under construction ran into controversy when it applied for tax breaks under the Qualifying Certificate (QC)
program administered by the Guam Economic Development Authority (PNC, 27 March 2013). Health Committee Chair Senator Dennis G Rodriguez Jr and local physicians expressed concerns that a tax break for the new Guam Regional Medical City (GRMC) hospital would be “unfair” (KUAM, 23 Feb 2013). In the 2013 election many candidates expressed their opposition when stories began circulating that such a QC program may be considered (MV, 26 Oct. 2012). After the formal filing of their application to the development authority, GRMC CEO Margaret Bengzon asserted that her company was banking on approval of the QC program (PNC, 7 March 2013). In the meantime, legislation was introduced to earmark all additional tax revenue that the government would raise from the operation of GRMC hospital for the island’s public hospital (MV, 17 April 2013).

The top ranks of the Port Authority were thrown in turmoil in December 2012 when six employees were fired for alleged improprieties in the approval of a workman’s compensation travel request. Also losing employment in the process was Port Authority General Manager Mary Torres (who was also the wife of Supreme Court Justice Robert J Torres and sister of former Governor Felix P Camacho); she said that the actions taken against the employees were politically motivated and directed at getting rid of a perceived political enemy of Governor Calvo. According to Mary Torres, in a meeting with Calvo’s chief of staff, she was told that “this entire exercise was all about getting this employee fired, and you are ‘collateral damage.’” Torres was then ousted and replaced as general manager by Department of Public Works Director Joanne Brown. Torres stated, “The real story is not about me. I am blessed with a loving husband and wonderful children and I will weather the storm. The real story is about the assault on the merit protection system and the failure of people who should know better to stand up for what is right” (PDN, 20 Dec 2012). The six employees have since taken steps to fight their removal through the Civil Service Commission and the courts (MV, 20 Dec 2012).

The 25th Guam Micronesia Island Fair was set to be the last one held in the month of October, as the Guam Visitors Bureau (GVB) announced that henceforth it would once again be held in May (PNC, 7 March 2013). At the October 2012 fair, delegations from the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, the republics of Kiribati, Nauru, the Marshall Islands, and Palau as well as Guam were represented at the region’s largest annual cultural event. The fair featured master carvers, blacksmiths, fishermen, jewelers, weavers, dancers, musicians, and cooks. GVB General Manager Karl Pangelinan explained that the fair had been moved to October to “fill a historically slow month for arrivals to Guam.” GVB officials decided to move it back to May because rainy season weather affected the logistics of the event (PNC, 7 March 2013). When the fair came back in May 2013, it drew over 20,000 attendees, exceeding the numbers from 2012 (PNC, 20 May 2013).

Ground was broken for a $27 million museum at Skinner Plaza in
Hagåtña. The three-story facility, known as the Guam and Chamorro Educational Facility, is funded with proceeds from hotel occupancy tax bonds (MV, 6 Feb 2013). Preparations also proceeded for a second Marianas History Conference. Entitled “One Archipelago, Many Stories: Integrating Our Narratives,” it was scheduled to be held at the University of Guam in August 2013 (Saipan Tribune, 3 April 2013). The first one was held in Saipan in 2012, with the goal of reunifying the history of the politically divided Mariana islands (Saipan Tribune, 3 May 2012).

Super-heavyweight judo competitor R J Blas made history at the London Olympics when he became the first Guam competitor to advance in a round by victory. His achievement as a competitor coming from a relatively small community made him a media sensation, attracting notice from USA Today, Sports Illustrated, Yahoo Sports, and CNN (PDN, 1 Jan 2013). Guam resident Jason Cunliffe, who started playing soccer for the local youth league at age five, also made the news for successfully becoming a professional soccer player for a team in the Philippines (PDN, 31 March 2013). Guam itself captured some attention from programs such as the CBS Morning News, which devoted an entire segment to educating its audience about the island (CBS News, 2 Sept 2012).

As the year came to a close, the community’s attention was focused on Legislative Bill 19. Although passed unanimously, the measure provoked considerable public controversy, as it utilized revenue from various forms of gambling to fund a number of purposes, including paying down the liabilities of the Guam Memorial Hospital. In July, the bill was awaiting action by Governor Calvo to either veto it or sign it into law (PNC, 20 June 2013).

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MARSHALL ISLANDS

The period under review in the Republic of the Marshall Islands (RMI) was focused largely on the impacts of climate change, both physical and political, as well as on preparations for hosting the 44th annual Pacific Islands Forum in Majuro in September 2013. Additionally, clear lines were drawn within the RMI national government, specifically in terms of government spending, as well as in the context of relations with the United States, which continued to be strained over the past twelve months largely due to tensions surrounding concerns about funding under the Compact of Free Association and a US Department of State report on human trafficking. One bright spot was the seeming progress toward a constitutional convention, which, while put on hold due to the upcoming Forum, appears likely to take place some time in 2014 and, unlike the climate-change situation, may give the Marshall Islands the opportunity to produce tangible results.

The topic of climate change was foremost on the minds of the RMI government, and especially Minister in Assistance to the President and Kwajalein Senator Tony de Brum, who has apparently made the issue the primary focus of his cabinet portfolio. At the United Nations climate meeting in Doha, Qatar, in December 2012, de Brum announced that the theme of the September 2013 Forum meeting was to be climate change, and specifically how the Pacific Island heads of state can take a greater leadership role on the issue globally (MIJ, 21 Dec 2012). De Brum followed this up with an appearance at an “Arria-formula” meeting of the UN Security Council on 15 February 2013. (Arria-formula meetings are not officially classified as meetings by the United Nations, and records or transcripts of the proceedings are not kept.) Despite the informal nature of the meeting, which was organized by the United Kingdom and Pakistan, de Brum’s speech was available on the Internet and a video report about the meeting was picked up by the online video magazine Slate V (2013). In the speech (and repeated in Slate’s report), de Brum arguably made a dubious connection between the drought in the northern atolls that had begun in January 2013 and the water company’s rationing schedule in Majuro, which was unaffected by the drought at the time of the speech. The minister then announced the drafting of a Majuro Declaration, which he said would call on all nations to commit, through their own actions, to limiting global warming to less than two degrees (de Brum 2013). The Marshall Islands will present the declaration for formal approval at the 2013 Forum.

The drought in the northern atolls did worsen, and in May RMI President Christopher Loeak’s cabinet declared it a disaster area, after which relief in the form of money and sup-
plies began to pour into the country. The Republic of China (Taiwan), Japan, and the Asian Development Bank each donated $100,000 to the relief efforts in May, as did Australia (which then sent another $385,000 in June). Most significant was the move by US President Barack Obama, who signed a disaster declaration on 14 June 2013, which was followed shortly thereafter by $1 million in rapid-response aid from the United Nations, announced by UN Emergency Relief Coordinator Valerie Amos, to be available by the end of the month. A few days later, RMI National Water Adviser Tom Vance described the situation in Enewetak and Utirik atolls as “dire” and reported that tensions among Islanders were rising. In response, the minister of foreign affairs and trade, Majuro Senator Phillip Muller called Vance’s comments “an overstatement” and suggested that the Marshall Islands was doing all it could to deliver relief to the northern atolls (PIR, 20 June 2013).

While rains returned to the northern atolls at the beginning of July, the total cost of the drought relief was estimated at $4.7 million, which ultimately cost the RMI government more than $900,000 after all international aid had been taken into account (MII, 21 June 2013). In a sign of things possibly to come for low-lying islands should climate change advance, on 25 June, as the drought in the northern atolls was in full swing, a series of high waves—compounded by exceptionally high tides and swells of six to eight feet from a local storm—flooded Majuro’s southern shore, washing completely across the road in some areas and knocking down a section of the seawall along the airport runway, leading to flight cancellations (Johnson 2013; MII, 28 June 2013).

Yet despite the sustained talk lamenting the very real effects of climate change, the RMI government pushed ahead with the $15.7 million airport runway expansion project funded by the US Federal Aviation Administration (USFAA), resulting in the continued dredging of healthy coral reefs in Majuro Lagoon. This action in turn decreases the dynamic natural capacity of the atoll to respond to rising sea levels. The project had been temporarily halted due to the efforts of Dr Dean Jacobson, a long-time marine science instructor at the College of the Marshall Islands (CMI), who had been waging a one-person campaign to halt the destruction of the healthy reefs. However, the RMI Environmental Protection Authority (RMIEPA) in mid-2012 approved an environmental impact assessment that allowed the dredging to continue and authorized the use of a two-hundred-ton crane (MIJ, 3 Aug 2012). At the end of August 2012, the USFAA approved the RMIEPA’s environmental impact assessment and use of the crane, and contractor Pacific International Inc (PII) resumed work on both dredge sites. On 31 August, RMIEPA Acting General Manager Lowell Alik filed a complaint with the national police, alleging that Jacobson had stormed into his office on that day and began swearing at him and claiming that Alik had lied on the environmental impact assessment. On 4 September, Pacific International Inc filed a similar complaint, alleging that the previous day Jacobson had taken CMI
students on a snorkeling trip within the boundaries of one of the dredge sites and began swearing at PH workers (MIJ, 7 Sept 2012). Although the students who were there denied that Jacobson had done anything improper and the complaint was set aside, pressure was put to bear on cmi President Carl Hacker, who on 31 May 2013 in an open letter to the public finally disassociated himself and the college from any of Dr Jacobson’s actions advocating for the protection of the reef (MIJ, 31 May 2013). In late August 2013, Jacobson was informed that his contract would not be renewed beyond the 2013–2014 academic year. Meanwhile, the reef dredging continues, and delegates to the Pacific Islands Forum who arrive in Majuro to discuss the need to protect low-lying islands and atolls from the ravages of climate change and sea-level rise will, on their way into town, first drive by the crane dredging some of the last healthy coral from the lagoon.

Preparations for the September 2013 Forum, which is only the second PIF meeting hosted by the Marshalls, were well underway by mid-December, as New Zealand and Australia each provided US$200,000 in aid to assist with the hosting of the meeting (MIJ, 14 Dec 2012). In late January 2013, Aqua Hotels and Resorts was contracted to assist with renovations to the Marshall Islands Resort (which had originally been built in 1996 for the first Forum hosted by the Marshall Islands), but by the end of May Aqua Hotels had pulled out, alleging that terms of the contract had not been met by the RMI government (MIJ, 31 May 2013). There was some concern among the organizers within the government that the Marshalls would not have enough hotel rooms to meet the needs of the number of delegates and other visitors connected to the Forum, especially as the previous year’s meeting in the Cook Islands had been heavily attended, due in part to the appearance of then US Secretary of State Hillary Clinton. By the end of June, with the Forum budget projection at $2 million, the government had received from donors $800,000, as well as fifteen cars, almost all of which will become official RMI vehicles following the conclusion of the Forum (MIJ, 28 June 2013).

Considering Secretary Clinton’s participation in the 2012 Pacific Islands Forum in Rarotonga a new precedent for high-level talks with the United States at the meeting, the RMI government formally invited US Secretary of State John Kerry and UN Secretary-General Ban Ki-moon (MIJ, 29 March 2013). The United States, however, delayed confirming the attendance of any high-level cabinet members; in early August 2013, a frustrated Minister in Assistance de Brum gave an interview with Fox News while in Australia and stated that “if [Secretary of State Kerry] does not attend it would be a slap in the face and like the United States would be reversing its so-called pivot to the Pacific” (MIJ, 9 Aug 2013). Such rhetoric only seemed to increase in the run-up to the Forum meeting, and it is unclear how (or whether) the RMI government will react to the absence of Secretary Kerry, should he not attend.

Indeed, the relationship between the Marshall Islands and the United States seemed to have hit a rough patch
for most of the tenure of the Loeak administration, starting with the visit of US Assistant Secretary of State Kurt Campbell to Majuro in August 2012. Taking his cue from then Secretary of State Clinton’s attempt to “reset” relations with Russia in 2009 using a prop button, Minister Muller produced a similar contrivance with the word “Harmony” next to a panel with red and green buttons (MIJ, 10 Aug 2012).

Tensions flared again in late June 2013 with the release of the US Department of State’s Trafficking in Persons Report, which downgraded the Marshall Islands from “Tier 2” to “Tier 2 Watch List,” citing the Marshalls as “a destination country for women from East Asia subjected to sex trafficking” and noting the lack of implementation of any existing legislative safeguards to combat such practices (US Department of State 2013, 257). The downgrade to Tier 2 Watch List means that the Marshalls has two years to demonstrate that it is making significant progress in implementing and enforcing regulations to combat human trafficking; should it fail to do so, it will be downgraded further to Tier 3, at which point all non-compact-related funds from the United States could be taken away (MIJ, 26 July 2013). In response, Minister Muller responded quickly, if hastily, by denying any human trafficking within the Marshalls; his reasoning rested on the notions that Marshallese culture is matrilineal and that women are “the backbone of our society.” Muller also denied that there is prostitution in Majuro, claiming instead that “the ship captains and fishing masters bring their families in from their countries to visit with them” and concluding that the report was “totally baseless” (MIJ, 26 July 2013). Coupled with the prop reset button and Minister de Brum’s declaration that US Secretary of State John Kerry’s absence from the upcoming Pacific Islands Forum would be a “slap in the face,” the response to the Trafficking in Persons Report appears to demonstrate that there is much work for both sides to do in order to decrease the impassioned rhetoric coming out of the Loeak administration.

Adding to the tension between the Marshall Islands and the United States is the issue of compact funding, much of which was placed under enhanced scrutiny by the United States during the year. And while there was no official acknowledgment of the event or its significance, the period in review marked the halfway point of the current round of compact funding, with now less than ten years left on the clock. In December, the financial situation in terms of compact funds broke new ground, as the US Department of Interior requested the return of $26,224 in Supplemental Education Grant money from fiscal year 2010 that had been flagged during a previous audit. Additionally, the United States also questioned spending noted in a separate audit in the amount of $171,600 from fiscal year 2011, marking the first time that the United States has attempted to recover funds due to dubious spending on the part of the Marshall Islands (MIJ, 7 Dec 2012). These amounts quickly escalated, however, as the Ministry of Education had to return $74,726.37 in Supplemental Education Grant funds from fiscal year 2011, and it was reported that the Marshalls had
not spent over $390,000 in compact funds during fiscal year 2012 (MIJ, 1 Feb 2013). By March 2013, it turned out that over the previous two fiscal years, the Marshalls had $1.2 million in unspent compact funds, monies that under normal circumstances would roll over into future fiscal years. However, the United States has put a hold on all unspent funds until the Marshall Islands is able to justify over $5.2 million in spending that is now under scrutiny from audits dating back to 2008 (MIJ, 29 March 2013).

A pair of questionable non-compact-related purchases by the government also left people scratching their heads. In early December 2012, Air Marshall Islands (AMI) Board Vice Chairperson and Ambassador-at-Large Kejjo Bien led a delegation to Nairobi, Kenya, to explore purchasing a 1986 Dornier for $1.4 million that the government thought could supplement the current AMI fleet of two planes (a Dornier and a Dash-8), both of which often are out of commission. At the same time as the trip to Nairobi, AMI was ordered by the RMI High Court to pay $1.4 million in late social security and health benefits payments (MIJ, 7 Dec 2012). Later that month the German engineer hired by AMI to inspect the Dornier gave it an excellent review, but by January 2013, Minister de Brum publicly stated that neither AMI nor the government had enough money to purchase the plane (MIJ, 18 Jan 2013). Two weeks later, Minister of Transportation and Communications and Jaluit Senator Rien Morris, under questioning from opposition senators, said that the government still had not made up its mind on the purchase of the plane, which Ailinglaplap Senator Ruben Zackhlas pointed out had already been painted in AMI’s colors. Meanwhile, Jaluit Senator Alvin Jacklick reported to the Nitijela (the RMI legislature) that the plane’s certificate of airworthiness from the Kenya Civil Aviation Authority had expired on 18 January 2013 (MIJ, 1 Feb 2013). It was not until late June 2013, however, that the government revealed that an agreement of sale had been signed by Kejjo Bien and the owner of the Dornier during Bien’s initial trip to Nairobi on 5 December 2012 and that the sale was for the plane “as is where is” (MIJ, 28 June 2013). The following week, several cabinet ministers claimed that they had not known about the purchase in principle of the Dornier, and that a number of AMI board members had opposed the deal (MIJ, 5 July 2013). It is not clear at the time of this writing whether the Loeak administration will actually follow through with the purchase or whether it will be able to recoup its $10,000 deposit for the plane if it does not.

The other conspicuous purchase by the Loeak administration was Ann’s Palace, a three-story building across from the Marshall Islands Resort, which has stood empty for the better part of the past decade. Owned by Yong and Ann Ji, the building was offered for sale at $2.5 million, even though in 1999 the Ministry of Public Works had valued the property (then new) at between $861,000 and $961,000. The government purchase of the building for $1.5 million in late April 2013 was authorized by President Loeak in his capacity as acting minister of finance; he claimed that he had not seen the Ministry of Public
Works report prior to agreeing to the purchase price (MIJ, 10 May 2013). The government’s purchase of Ann’s Palace, coming in the middle of the disaster-relief efforts for the drought, was publicly criticized by Jaluit Senator Alvin Jacklick, who argued that the Loeak administration “has its priorities wrong.” In response, President Loeak suggested that the RMI government will need the extra office space afforded by Ann’s Palace for the ministries of education and finance and that “even without the building purchase, the government still couldn’t afford the cost” of the drought relief efforts (MIJ, 21 June 2013).

In a troubling sign of things to come, and in light of both the return of compact funds to the United States as well as the looming end of the current round of funding in 2023, the Marshall Islands suffered two embarrassing funding request denials from non-US donors. In 2012, Japan turned down a request from the RMI government to fund the construction of a campus for the University of the South Pacific center currently operating in Majuro; the Marshall Islands then asked Australia to fund the project, but in June 2013, Australia also denied the request (MIJ, 14 June 2013). Perhaps of more concern was the denial of the Marshall Islands’ request to have Japan restore the ECC, a facility built by the Japanese in 1997 that was given top priority in the RMI funding requests to Japan in late 2012 (MIJ, 14 Dec 2012). Originally called the Educational and Cultural Center, the ECC had functioned effectively as the national basketball arena until the summer of 2012 when termite damage resulted in a partial collapse of the building’s roof. While Japan had funded the replacement of the ECC floor in the mid-2000s, the funding request this time around was denied for two reasons: because the RMI government had missed the deadline to submit funding proposals, despite a Japanese assessment team’s report that was given to the RMI government shortly after the roof collapsed; and because the Marshall Islands had failed to budget for the gym’s maintenance since its construction (MIJ, 26 July 2013). It remains to be seen whether such funding requests will continue to be denied, and, if so, what that might mean in terms of donors placing further restrictions on aid in the future.

The period under review also saw the passing of a number of high-profile political and public figures. On 18 August 2012, Lijon Eknilang, a member of and longtime vocal advocate for the nuclear-affected community of Rongelap, passed away after an extended battle with nuclear testing–related cancer at the age of sixty-six. While living on Ailingnae as a young girl, she had been a witness to the Bravo Test on 1 March 1954, one of the original eighty-two Rongelapese to have been exposed to the massive fallout that resulted from that test. On 18 November 2012, Alik Alik died in Texas. Alik had served as a senator from Jaluit from 1991 to 1995, elected as a member of the Ralik-Ratak Democratic Party in opposition to then President Amata Kabua, and then as a member of the United Democratic Party, representing Majuro from 1999 until his retirement in late 2011. Alik also served as vice speaker of the Nitijela from 1999 to
2011, through the administrations of Kessai Note and Litokwa Tomeing and most of Jurelang Zedkaia’s administration. In early December, Botlong Loeak, a multiple-term judge on the Traditional Rights Court and brother of both President Christopher Loeak and Council of Iroij Chair- man Kotak Loeak, passed away. In mid-April, original Nitijela member Abner Luckner, who served in various cabinet positions under President Amata Kabua, died in Majuro. On June 4, Beverly Chutaro unexpectedly passed away. She first came to the Marshall Islands from Ohio in 1968 as a teacher and shortly thereafter married Chuji Chutaro, a representa- tive in the Congress of Micronesia who later served as a senator from Mili Atoll and who was a leading member of Ainiken ri-Majol (Voice of the Marshallese), the major opposition group that challenged Amata Kabua in the 1970s and 1980s. Two weeks later, Kaname Yamamura, the father of current Minister of Public Works and Uttrik Senator Hiroshi Yamamura and father-in-law to Jabat Senator and former President Kessai Note, died at the age of ninety-three. Yamamura had been an ardent supporter of Ainiken ri-Majol, and was one of the primary nonelected proponents behind the opposition movement.

Perhaps the one bright spot in the period under review was the push, both from within the government and from the community at large, for a Constitutional Convention (Con-Con). Under Article XII, Section 6, of the RMI Constitution, the Nitijela is required to “report on the advisabil- ity of amending” the Constitution at least once every ten years, and it is the responsibility of the Speaker’s office to initiate such a report on a potential Con-Con and referendum. Considering that there have been two Con- Cons to amend the Constitution since the founding of the republic in 1979, in 1990 and 1995, many in the Marshalls felt that this process was long overdue. Indeed, the Constitution has only been amended twice, to clarify the official name of the Government of the Republic of the Marshall Islands and to verify that the Marshallese-language version of the document supersedes the English version in cases of dispute. The moves made by the current Speaker, Likiep Senator Donald Capelle, have so far been the most promising in at least a decade, and there is widespread consensus that one of the major issues that such a Con-Con and referendum should address is that of the direct election of the president (MIJ, 17 May 2013). Since the RMI system of government is based on a Westminster parliamen- tary model, the president currently needs only 17 votes (including her or his own) to secure a majority from the 33-member chamber.

The first public hearings held by the Speaker’s appointed nine-member committee, chaired by Helkena Anni, on the subject of the Con-Con began on 15 April 2013, and suggestions for amendments from those in attend- ance included the creation of the positions of an independent special prosecutor and an ombudsman (MIJ, 19 April 2013). By May, a number of additional public hearings were convened, and while Anni was quoted as saying “The most popular proposal is for direct election of the President,” another suggested amendment that
was promoted by various women’s groups and was gaining traction among the general public by the end of the period under review was the reservation of five seats in the Nitijela to be held by women (MIJ, 10 May 2013).

While there is some hope that positive change may come from a potential Con-Con, there is also concern that the results from a popular referendum may yield little more than pro-forma amendments, as happened during the previous two Con-Cons. As the Marshall Islands, and Majuro in particular, narrows its focus on the politics and logistics of hosting the Pacific Islands Forum in September 2013, there has yet to emerge any sort of direction as to where the country is heading as it moves into the second half of the current (and possibly final) round of compact funding. Climate change is indeed a threat to the islands, but its effects might not be felt as dramatically or as immediately as the socio-economic impacts that may result if certain decisions regarding a post-2023 Marshall Islands are continually put off until tomorrow.

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References


Commonwealth of the Northern Mariana Islands

Throughout 2012, signs became quite clear that something was very wrong in the Northern Marianas. Investors were coming in quickly and leaving just as fast. Crime was up and tourism was way down. During the course of the year, more and more people were becoming fed up with the way things were going. The governor was issuing
special edicts to take over almost every function of the government, from the utilities to the hospital. Involuntary workforce reductions were becoming quite common. No one knew in advance the depth and breadth of the changes at work in the Marianas.

One of the early signs of the coming storm was the Republican victory in the US House of Representatives in 2010. The substantial Republican victory over President Barack Obama’s previous majority meant that Governor Benigno R Fitial, who enjoyed being a member of the National Republican Committee, abandoned his own Covenant Party. The Covenant Party, which he had formed when he lost the Republican nomination for governor years before, became a launching point for his new campaign to form a new CNMI Republican Party and thus cash in on the victories in Washington DC. However, he did not count on losing the balance of his Covenant Party stalwarts who refused to follow him to the Republican Party. Essentially, he found himself excluded from most of the decision making, except for his own. In retaliation, he began to dismiss members of the Covenant Party who did not join his move to the national Republican Party and ended up creating a new opposition called the New Republican Party. This party was made up of previous CNMI Republicans who became part of the opposition that would later bring him down in the most unexpected manner.

Governor Fitial began taking over various public offices by issuing emergency orders and dismissing executives who were disloyal and no longer representative of his policies. This included the hospital, the Commonwealth Utilities Corporation, and just about every other major government function. Summary terminations were made with the excuse that “I have a right to have people who are on my side working for me.” Attorney General Edward Buckingham loyally followed the governor and continued to implement his policies and provide legal backing for his decisions. The result was the beginning of an upsurge of opposition, which led to the revelation that all was not well in the administration.

The dissatisfaction reached a breaking point when it was revealed that the governor and the attorney general had jointly signed a $190 million power purchase agreement with a little-known company, Saipan Development LLC (a private company organized in Delaware) to construct a power plant at Lower Base on Saipan. Eventually it was revealed that the government would not be paying for the purchase of the power plant itself but would have to pay for operations and fuel. These costs are calculated to be millions of dollars more than what was being expended at the time. It was revealed that the contract had been signed by the attorney general and the governor without the involvement of the Office of Procurement, the Department of Finance, or the management of the Commonwealth Utilities Corporation, and that it included, among other things, a shipyard facility for which no approvals had been given by the federal government and no Environmental Protection Agency study had been made.

The combination of reduced government employment, apparently illegal activities by the administration,
and very heavy-handed treatment of anyone who did not agree with the governor’s policies led to the first visible sign of opposition: a local lady stood at an intersection of the road to the governor’s offices with a handwritten sign that said “Impeach Fitial.” That simple move gave impetus to a groundswell unknown in the history of the Marianas. The move to impeach the governor was launched.

The public came out in very large numbers to what became known as the “Wave In” with signs and banners urging people to support the impeachment movement. On one occasion there were opposing movements (pro- and anti-Fitial) on the same street, separated by about one hundred yards. The governor and his people were seen driving by on several occasions, presumably noting who were the “pros” and who were the “antis.” People who showed up at their government jobs with an “Impeach Fitial” bumper sticker visible on their car found themselves instantly out of work. It was recorded by some people that public demonstrations held by the pro-Fitial faction were monitored by the governor’s people and that any employee who did not show up suffered the consequence. In these days of austerity, any government employees with dependents and other needs became very worried about losing their employment and, understandably, found themselves providing support for the governor.

In the legislature, the minority leadership under Representative Joseph Deleon Guerrero formed an impeachment committee made up of equal members of supporters and opponents of the governor to study whether or not there could be sufficient evidence to go to the Senate with an impeachment resolution. Since half of the members of the committee were for and half against the governor, progress was very slow, and an impeachment resolution did not pass the House of Representatives; it was defeated in a vote that followed party lines.

Unlike a previous impeachment attempt in 1992 (when it had been alleged that police officers loyal to then Governor Lorenzo I Guerrero used small arms to shoot at the homes and businesses of supporters of impeachment), the only violence that took place other than harassing and threatening phone calls was when one of the leaders of the public anti-Fitial movement had his tires slashed outside the public hearing at the House of Representatives. One of the more remarkable moments of that public hearing was when the Fitial supporters—all wearing red t-shirts and dominating the chamber—spent two hours praising the governor before the opposition was allowed to speak. Alternately, one of the more memorable comments came from a local lady who chimed in to say, “We have two gods in the Commonwealth: one of them is God in heaven, and the other is Benigno Fitial.”

Things changed after the election in November 2012 when almost all of the pro-Fitial delegation in the House of Representatives were voted out and replaced by pro-impeachment members. They were joined by the new Republicans and a few renegade Democrats, hard-core Covenant Party members, and Independents, who pulled together and worked to get the resolution passed. Since only four of
the twenty members of the House of Representatives remained pro-Fitial after the election, this allowed the impeachment committee to pass the resolution with seventeen articles of impeachment. The resolution then was passed on to the Senate.

As soon as the impeachment resolution was turned over to the Senate leadership, which quickly moved to organize a hearing, the governor tendered his resignation, effective immediately. This meant that he completely avoided another confrontation with his opponents. Lieutenant Governor Eloy Inos was immediately sworn in as governor, and Senate President Jude Hofschneider was sworn in as lieutenant governor. The governor left the Northern Marianas and traveled to the Philippines. An extradition warrant was considered, but, because of the governor’s well-known health problems (for which he is believed to be seeking treatment in the Philippines), it was never served. A penal summons was served instead, ordering him to be present in court on the first Monday of his return to Saipan. As of this writing, he has not returned to the commonwealth.

Shortly after the governor’s resignation, Attorney General Edward Buckingham also tendered his resignation effective immediately and organized a trip to the airport with his wife to leave the commonwealth. However, the Office of Public Auditor, which was acting as a prosecutor for the impeachment movement, had a penal summons prepared to force Buckingham to testify in court on several issues the following week. Nevertheless, in his last official move, Governor Fitial was able to orchestrate a “flying wedge” guard for Buckingham and his wife at the airport to avoid the servicing of the summons. Members of the top levels of the Department of Public Safety, port security, and the governor’s bodyguard personally escorted Buckingham through the airport and treated the press representatives somewhat rudely in order to get Buckingham into a secure area of the airport. As it turned out, though, the representative of the auditor’s office was able to secure the assistance of two FBI agents who outranked the local police to follow the couple into the departure lounge and serve the summons there. Although the summons required that he show up the following Monday in court, Buckingham went ahead with his travel plans and became a fugitive. He wound up in Colorado, and, after a request for extradition was sent to the governor of Colorado, he was arrested and released on $25,000 bail pending a hearing on the extradition request. Subsequently, Buckingham appeared on Saipan unannounced and caused a “mini typhoon” on the island since he was purportedly able to pass through customs and immigration at the Saipan airport without being arrested. An investigation is underway as to how this could have happened, since an arrest warrant had been widely distributed. Despite eluding arrest at the airport, he was taken into custody; the former attorney general in handcuffs, guarded by corrections personnel in the courtroom for a hearing with the judge, was quite a sight. After posting $50,000 bail, the judge allowed Buckingham to travel back to Colorado for medical care but required that he surrender all inter-
national travel documents. His trial is scheduled for January 2014.

One of the first things Governor Inos did was remove most of the former administration’s appointees. The Fitial appointments of former Governor Juan Babauta as executive director of the Commonwealth Health Corporation was overturned by the board of directors once there was a new governor. The search is on for a new executive director for the Commonwealth Utility Corporation. And, most welcome of all, I believe, was the appointment of a new Department of Public Safety commissioner. Career policeman James C Deleon Guerrero replaced the Ogumoro brothers (Ambrosio T Ogumoro and Aniceto Ogumoro), who had been alternating in the role of acting commissioner for a couple of years. The two brothers have been indicted for their role in protecting Buckingham at the airport.

Immediately on taking office, Commissioner Guerrero formed a special operations unit to protect tourists in the Garapan area. This meant the reestablishment of the bicycle squad working 24/7 throughout the area and brought to a screeching halt many of the purse snatchings that were so common there and so damaging to the Marianas reputation. Another special squad was formed to go through cold cases in an attempt to revive them and resolve them. Since the new operations were put into place, attitudes toward the police have become increasingly positive.

Governor Inos ran into his own problems with appointments when Lieutenant Governor Jude U Hofschneider nominated attorney Ramon “Ray” King Quichocho to serve as associate judge in the Superior Court while Inos was off island. Inos later backed Quichocho’s nomination, claiming that he and Hofschneider had discussed putting his name forward. Normally, submitting the name of a prospective judicial appointee to the CNMI Bar Association is just a formality, but in Quichocho’s case instant opposition arose from many of his colleagues. Questions were raised about malfeasance in office, sexual harassment of a client, and a variety of other unspecified charges. Despite some support for the appointment by members of the legislature, after about a month of controversy Inos withdrew Quichocho’s nomination, saying that they cannot have a judge with a cloud hanging over him, as it raised questions of the integrity of the bench.

The second major issue in the year under review was the fate of the CNMI government retirement fund (nmirf). Though it is much too complex to go into any detail, suffice it to say that over many years the retirement fund has been the cash cow for politicians with personal agendas, and the balance in the fund has been severely depleted. It has been estimated that the government owes the fund hundreds of millions of dollars in unpaid employer contributions. Actuaries now estimate that the corpus of the fund will be used up in March 2014 and that retirement checks and, probably more important, health insurance will no longer be available to thousands of people who are dependent on them. The government has made no serious effort to stem the flow of dollars and passed a bill allowing employed
government personnel to terminate their membership in the fund and withdraw contributions they made while continuing to work. In addition to potentially being able to withdraw their contributions to the fund, in late 2012, government workers were transitioned into the US Social Security system, from which they were previously exempt.

The mass withdrawals from the retirement fund created major problems for the fund because they further depleted the amount available to the people receiving promised benefits; a lawsuit, commonly called the Betty Johnson case, was thus brought on behalf of retirees. As of this writing, the fate of the fund is in the hands of US Judge Robert J Faris and a committee of beneficiaries and other personnel who are trying to negotiate a settlement to the Betty Johnson case in addition to enacting measures that will keep the fund operational.

During the first half of 2013, promising negotiations toward a global settlement proceeded while refunds to those members who elected to terminate their membership in the fund were halted pending settlement. In late June, a tentative agreement was reached that involved setting aside $52 million to reimburse employees who withdrew from the fund and making retirees eligible to receive 75 percent of their benefits.

Because of the potentially huge obligations to the retirement fund, the legislature has been considering the possibility of allowing more casino gambling, leasing of public land, and a variety of other means to raise the money. Proposals to float bonds to cover the obligation have been made for several years but have not gotten very far in the legislature.

With renewed US military interests in the Asia-Pacific region, there are prospects that the Marianas could become a site for expanded military training operations by all three services. The US Navy and Marines are currently looking at major expansion on Tinian, where they already have a one-hundred-year lease for two-thirds of the island. Now they are talking about conducting live-fire exercises on the island. Additionally, they want to take over the island of Pagan, located in the Northern Islands Municipality, for these exercises. However, the Constitution protects these islands to the north of Saipan as special reserves that cannot be alienated except by eminent domain for national security reasons. As of June 2013, a majority of the population has expressed opposition to the military taking over Pagan. One of the assets that would be lost to the people of the Marianas if the military were to take over would be the alleged millions of tons of pozzolan (natural volcanic residue used to strengthen cement) left over from a 1981 volcanic eruption. There is some doubt whether the pozzolan has any construction value because it has been in the open for thirty years and the rain has possibly leached out many of the useful chemicals. To date, no feasibility study has been made.

There are also plans for resettling residents to the island by initiating a homestead program, which could be possible due to the Japanese-built airstrip on the island. The island’s population had been as high as three hundred during the prewar Japanese era and still retained well over one
hundred prior to evacuation because of the eruption.

The military is doing all it can to assuage the civilian opposition by promising benefits including allowing people to settle on the island and only moving them off temporarily each time live-fire exercises are planned. The military has already provided Guam-based helicopter medical evacuation services for a patient on Rota needing to get to the hospital on Saipan as an example of the purported benefits of their increased presence in the commonwealth. One does have to wonder how an increased military presence on the island of Tinian will mesh with the casino movement and increased civilian populations on the island, with tourists wandering around historic sites. The Tinian Dynasty Hotel and Casino already is in serious trouble on a variety of fronts (including money laundering by several high-level officials of the casino) and may be closed down by the courts, sold, or rehabilitated under new management.

A very bright note is the increase in tourism interest in the Marianas. Tourist arrivals began to increase substantially over the past year. Hotels are running from 70 to 90 percent full, and new ones are being considered while old ones are looking at renovations and upgrades. Very quiet moves are taking place to establish better transportation between Saipan, Tinian, Rota, and Guam, both for tourists and merchants. Increased travel to the Northern Islands is being contemplated for ecotourism, and several specially designed vessels are being either constructed or seriously planned. Again, this could come up against the military plans on several levels. The newly introduced visa-free travel for Russian and Chinese visitors has become quite popular. New airlines coming in currently have charters primarily from China and Russia, which have quickly become the most lucrative markets. Of course, these visitors also bring with them the most potential for security problems.

The new administration under Governor Eloy Inos has taken notice of the tourist boom and drastically increased budget projections for fiscal year 2014 by raising estimated revenues from $105 million to $220 million.

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