

MARIANAS VARIETY NEWS & VIEWS

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FRI. 4 AUG. 1972. VOL. 21 price 5¢

OEO LAWYERS TO STAY... BUT

Saipan - The third-year personal war with the le- funding grant from the gal service system was

COMPLETE TEXT OF HICOM'S LETTER AND REPLY FROM LEGAL SERVICES ON PAGES 10-11

Office of Economic Oppor- tunity for Micronesia Legal Service Corporation has taken effect automati- cally, without the approval of Trust Terri- tory High Commissioner Edward E. Johnston.

However, the Hicom's

TWO MORE MICRONESIANS NOMINATED

Saipan, (MNS) - Two more nominations made by High Commissioner Edward E. Johnston were sent to the Congress of Micronesia Ad- vice and Consent Committee for consideration. They are Leo A. Falcam, TT Exe- cutive Officer, who was nominated to the position of District Administrator for Ponape District, and Dr. Masao Kumangai to be the new TT Director of Health Services. Falcam replaces J. Boyd Mackenzie who will work on the staff of the High Commissioner as Special Assistant for District Affairs, and Dr. Kumangai will assume the position vacated by Dr. William Peck who will be- come Coordinator for Federal Programs in the medical field.

renewed Monday in a letter from Johnston to OEO Re- gional Director Thomas H. Mercer.

In his letter, Johnston termed the program "over- expanded, poorly directed, wasteful and...unproduc- tive."

Micronesia News Ser- vice reported Wednesday that the \$600,000 grant became effective Sunday, July 30, thirty days after it had been submitted to the High Commissioner for his review.

More than one-third of

the money originally sought by MLSC had already been trimmed by the OEO in Washington, D. C. There was some speculation that Johnston, who had advised OEO to cut the budget by

more than 50%, was going to veto the grant and hence end the program.

Instead, he chose to take no action, hoping to emphasize his own mis- givings about the program.

THE MARIJUANA ARGUMENT CONTINUES

Last week, Marianas Variety reported that Saipan pol- ice had confiscated 22 pounds of Marijuana at the Saipan airport. This was the first "drug bust" scored by local authorities in many months and though no arrests were made, it has brought the whole drug sit- uation on Saipan into the public eye.

A knowledgeable local source says marijuana is the most widely used illegal drug on Saipan. But, he re- ports, mescaline, LSD-25 and "downers" (barbiturates) are also being used. It was his opinion that as many as 75% of the youth, 16 to 25 years of age, are using or have used at least one of these drugs.

Mescaline and barbiturates (commonly known as "reds") are recognized for their dangers. Both are addictive, and addiction to the latter has been said to exceed heroin in its severity and predominance. Research scientists have linked LSD to chromosome damage. Of the four, only marijuana remains a question mark.

continued on page 2

"PUNCH IN PARADISE"

by David Garner

While walking down the main road between the Ma- rmar and Continental Hotels on Moen, Truk, one moonlit evening last week, a tourist, Ms. Dawna Maria Zullo of Los Angeles, Ca- lifornia, was attacked by three local young men.

According to Ms. Zullo, the trio directed "various personal remarks" to her. She kept on walking. "Sud- denly", she said, "a foot came crashing hard against my back. I turned and laid

all three men out on the road. I certainly wasn't going to negotiate at that point!"

One man was lying in the middle of the road as she left, and the other two men crawling into the junc- gle. "I am quite sure one is now missing a front tooth and the other one temporarily crippled by well-placed kicks," she said.

She continued on to the Continental Hotel and la-

ter returned to her hotel by taxi.

Ms. Zullo, who has tra- veled alone on a number of trips in the Pacific, Asia, New Zealand and Aus- tralia, said that this is the first time that she has been bothered. The on- ly concern that she had was that the Truk police might arrest her for assault!

She is a Deputy Sheriff of Los Angeles County, Ca- lifornia.

MARIJUANA ARGUMENT.....

Whether or not those who smoke marijuana go to pot depends on many factors. According to the latest U.S. Government report, it depends upon the user--his age, his mental and physical condition, and the strength of the marijuana he is using. The answer also depends upon how the results of the reports are interpreted. Often lack of bad news is treated as good news.

But there are some new findings that at this point seem to be on the positive side.

Marijuana, for example, does not cause changes in lung tissue like tobacco does. Furthermore, there is no firm evidence that the drug causes breakage of chromosomes.

Researchers have noticed, though, that marijuana use causes a decrease of fluid pressure in the eyeballs. This leads to the possibility that the drug may someday be effective against the disease glaucoma. Every year this disease causes many people to go blind. Pressure builds up on the eyeballs and finally destroys sight.

There is also evidence that marijuana may help control seizures due to brain damage.

There is no indication that the drug can cause people to become psychotic (insane). There is concern, however that anyone on the borderline can be pushed across the edge.

The report states that marijuana use is on the increase. The total number of those who have used marijuana in the United States is estimated by the panel to be 24 million... or roughly one out of every

nine Americans. Over half this number are estimated to use the drug one or more times a month.

But there is no proof, as of now, that using marijuana leads to the use of hard drugs. This is true even though evidence indicates that a considerable number of hard drug users also smoke marijuana.

One of the big unknowns about marijuana is what happens to the by-products of the drug after they are broken down in the body. These by-products, called metabolites, stay in the body for several days after the drug is used. Scientists still do not know how metabolites may inter-act with drugs taken for medicinal purposes. There is the ever-present danger, though that such interactions may be harmful.

Evidence is accumulating also that marijuana causes a "reverse tolerance" effect. That is, the user finds that smaller and smaller quantities of the drug are needed to produce a high. For this reason the effects of the drug may at times be unpredictable. In this respect marijuana acts in a manner opposite to alcohol. Drinkers find that over a period of time larger quantities of liquor must be consumed to produce the desired effect.

Evidence is accumulating also that marijuana interferes with driving ability. Drivers under the influence of the drug require more time to stop their cars. They have also tended, in experiments, not to recover as quickly from headlight glare as drivers not influenced by the drug.

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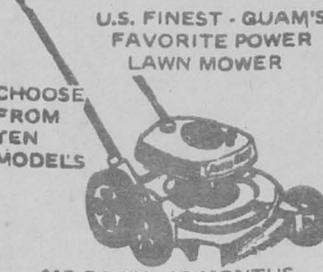
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CHAMBER MEETING

The regular monthly meeting of the Saipan Chamber of Commerce scheduled for August 7 has been postponed until August 14. The meeting on the 7th will be held at the Hafá Adai Hotel at 11:30 a. m. A Buffet luncheon will be served. All members are urged to be on time.

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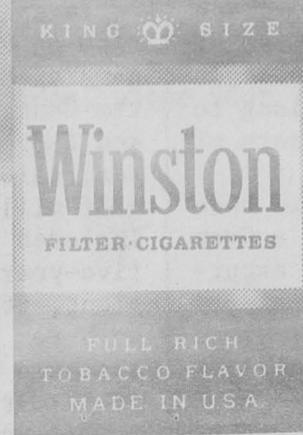
Is it Rumor or Fact?

- that it will cost the Trust Territory Government more to phase-out Americans in Micronesia than to keep them in different status like advisory positions.
- that during the next ten years Micronesia will need all possible assistance that U.S. can provide.
- that Saipan District will have hundreds of job oppur-
 tunities when the U.S. Military come to Saipan.

-that the Department of
 Resources and Development
 of the Trust Territory Go-
 vernment is really doing
 a great job.

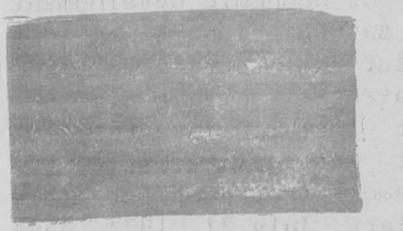
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PAGAN ISLAND: LOOKING TO THE FUTURE

by Jim Peters

Of all the islands in the Northern Marianas, Pagan has traditionally been favored by islanders and outsiders alike. During World War II, Pagan supported a garrison of Japanese military men...some say as many as five thousand. Today a bombed-out dock, the crumbling remnants of a religious shrine, abandoned water catchments and occasional war debris are the only physical reminders of the islands Japanese past.

There are two islands in the Marianas chain that are north of Saipan. Pagan was chosen by the Japanese as the most habitable because, of all the islands, it alone has enough flat land to accommodate an airstrip. It alone has enough acreage to support farming above the subsistence level. It also has the most sheltered anchorage in the Northern Marianas.

Cognizant of these facts, district and Trust Territory officials agree that only Pagan has potential for economic exploitation. Both agriculture and tourism have been mentioned as promising activities for Pagan's future. One Paganese man is now employed by the district agriculture department working on pineapple production. The idea is for him to take his knowledge back to Pagan and help start a potentially lucrative pineapple industry.

But raising crops is hard, tedious work. Most Paganese do not view farming as a means for rising above their current material poverty. Rather, many of them see tourism as a swift route to economic success. Unfortunately, that success will probably belong to some rich foreign investor rather than the residents of Pagan.

Several outside speculators have shown more than just a passing interest in Pagan. Air Pacific, a Guam based charter carrier, presently offers day-long excursions to "exotic Pagan island." Their television advertisements entice potential customers with promises of bathing in mineral hot springs and romping on black sand beaches. Pagan is truly an advertising man's dream. Even though its hot spring is really a swamp-bound lake, its gorgeous black beaches, quiet

remoteness, crystal clear water and smouldering volcanoes are ripe subjects with which to tempt potential tourists.

Air Pacific's inroads are just the beginning. TOWA Real Estate Developers, a Japanese firm, presented a detailed study revealing plans to establish a luxury spa on Pagan...complete with riding academy, golf course, resort villa, and first class restaurant. A more modest and probably more realistic proposal has been suggested by IT entrepreneur and Guam millionaire, Ken Jones. There have been several other overtures as well. To this date, none have been given the go-ahead by the government and several, including TOWA, have been flatly rejected.

The people of Pagan have been given several opportunities to open a co-op hotel. On one occasion, an officer of the district office of economic development suggested that they apply for an EDLF loan to build a small hotel. Later, the District Administrator offered to give them the old Seabee Barracks which could have been converted into rough, but livable, quarters for overnight guests. However, not enough interest or cooperation could be generated among the people to make this work. (see Marianas Variety, July 21, 1972, page 4.)

In spite of its money-making potential, talk of tourism on Pagan is still speculative. There are, however, some specific plans for the island. Testifying before the Congress of Micronesia's Joint Committee on Program and Budget last February, District Administrator, Frank Ada, said Pagan "will receive in five years about one-half million dollars in Civic Improvement Projects." Included in this figure, according to the districts five-year plan, are \$50,000 for a permanent power plant, \$80,000 for a central water catchment system, both to be built in FY 1975. An additional \$200,000 has been earmarked for further renovation of the airstrip during FY 1978.

"It is our hope that the people of the other North-

continued on page 5

PAGAN'S FUTURE....

ern Islands will move to Pagan on their own initiative," the Distad said in a recent interview with Marianas Variety. "I want the record to make it clear," he said, "that we are not trying to force anyone to live on Pagan but we would try to encourage them to live in an area where we can be more helpful." By this he clearly meant Pagan.

The Distad is in a difficult position. He must con-

sider the safety of the people on the islands; the cost of chartering a field-trip vessel; the expense of possibly developing islands that are not suited for growth; and he must balance all these practical things against the abstract and diverse wishes of the Northern islanders themselves. As he correctly points out, a person who is ill or seriously injured on Pagan island can be air lifted out to a hospital within a matter of hours. From any other Northern Island, the same effort takes several days, assuming a ship is even available.

The Distad emphasized again and again that "we are not going to force anybody to move off their island." But there is an obvious effort to coax them off. Homes on Pagan now have electricity. The people have contact with Saipan or Guam via Air Pacific every few weeks versus a ship every three months for the other Northern Islands. Dollars for civic improvement projects are pouring into Pagan at a rate of seventy to one over the other islands.

Ada said that although the District government hopes eventually be able to evacuate Agrihan, Alamagan and Anatahan, they also intend to station an M-boat or similar craft on Pagan to allow the people to make shuttle trips to the other islands to harvest copra and other crops. Concentrating the people on Pagan and serving them regularly by air, the Distad said, would be far more efficient and probably cheaper than the present schedule of field trip ships.

This article is the last in our four part series describing and discussing the-Northern Mariana Islands. However, a special article on one of these islands is currently being prepared. It will flash-back more than twenty years to retell the story of thirty-one Japanese who struggled to survive on rugged Anatahan Island until 1951, all the while believing World War II was still being fought. The story of the lost soldiers of Anatahan.. coming soon in Marianas Variety.

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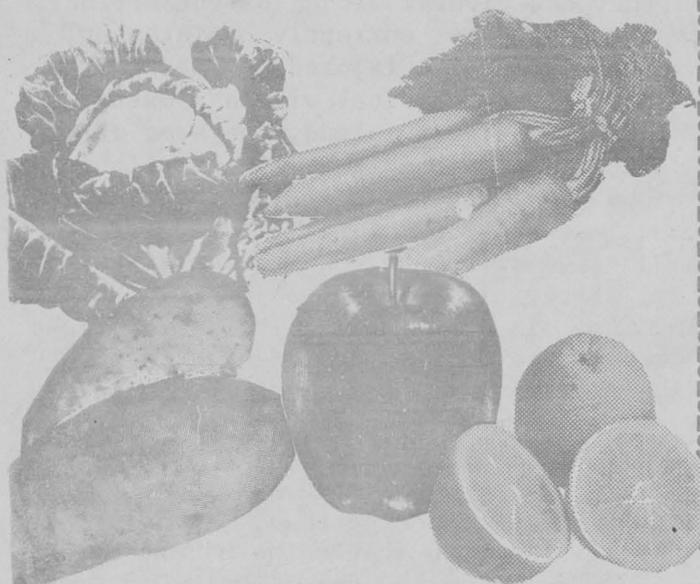


The Proud Bird with the Golden Tail





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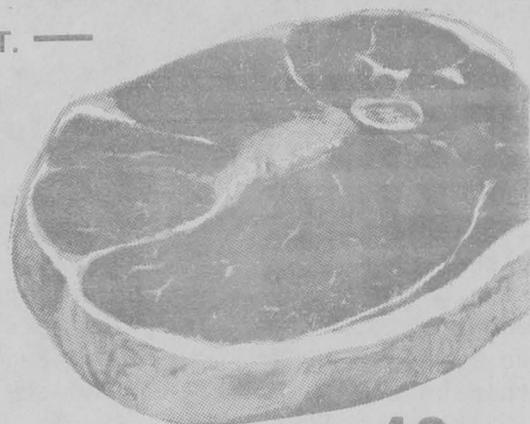


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YOU AND THE MASTER PLAN

by the Marianas District Planning Officer

In Studying the planning law (PL 4C-76) so far we have seen how Master Plan Areas may be and how Planning Commissions are to be formed for each area. Once the Commissions are formed they will prepare a Proposed Master Plan for their area and recommend it for adoption by the legislature. "But," you say, "there already is a Master Plan." That is true there are Master Plans for Saipan and Rota, and the Tinian Master Plan was started last week but none of these plans have been adopted. The Planning Commissions may recommend that these plans be adopted as they are, or they may revise them before recommending adoption. This is the point where the plans may be changed if they need to be changed. The Planning Commissions may also recommend the adoption of other development programs such as park plans, recreation plans or homesteading plans which are desirable.

The Commissions will also prepare and recommend for adoption land use control laws and amendments to those laws which are needed to carry out the Master Plan. At this point the Marianas will not only have a Master Plan but also the legal means of carrying it out. The Commissions will also prepare and submit recommended Capital Improvement Budget to the District Administrator and the Legislature. The Commissions also have powers to investigate, hold hearings and otherwise ensure that the plan is being followed. They will also review any proposed use of any lands private or public by non-citizen corporation, organization, or any agency of the U.S. or foreign governments and advise the District Administrator and High Commissioner of its findings. This review duty will also be for any private proposed use of land and the opinion of the planning commissions on matters of compliance with its Master Plan shall be ginding subject to court appeal.

The Commissions shall review the Master Plan at least once every two years and make any needed changes.

The Planning Commissions therefore prepares a Master Plan, prepares the laws needed to carry it out, watches to see it is carried out according to the law, and acts like a court when problems arise which concern the Master Plan. That is an important and serious job, and the Commission members must be chosen carefully.

The law also makes provisions for assistance to be given to these Commissions. The Planning Officer is to be assigned to the Commissions as administrative and technical advisor. The District Administrator is also to provide any other needed assistance and it is available in the district. The Commissions may also receive financial support from the Legislative Branch or other grants. It may also contract for technical support beyond that which the government can provide. Therefore the government must support the Commissions but they may also contract for support and advice outside the government.

In preparing the Master Plan the Commissions shall consult with the various government bodies and the public. Once a proposed Master Plan has been prepared the Commissions shall arrange for public hearings. The public herefore has two chances to express opinion; while the plan is being made and once it is finished.

After approval by the Commissions the proposed plan is sent to the District Administrator for his comments and the District Legislature for adoption. The District Legislature then reviews the District Administrator's comments, holds public hearings and adopts, changes and adopts, or rejects the Master Plan. Upon rejection revisions may be made and the plan re-proposed. The District Legislature may also amended the Master Plan at any time provided a public hearing is held with the Commissions present.

This is a system meant to balance the Planning Commissions and the District Legislature and insure that the public has the chance to voice its opinion.

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LETTERS TO THE EDITOR

Dear Mr. Ada:

Some of the tax payers of Saipan, especially the members of the local bands who are paying \$40.00 tax annually, are greatly concerned about the continued increasing importation of alien bands.

We are cognizant of the fact that the owner of the "Chamorro Island" and the management of the "Tropical Paradise" have six month contracts with bands from the Philippines now providing musical entertainment at said establishments. Several similar establishments are either negotiating or are contemplating hiring bands from Guam, the Philippines, and elsewhere. Please be advised that there are nine (9) local bands (all Trust Territory citizens) available for hire. They have been practicing hard and have been providing musical entertainment at several night clubs undisturbed. They are able and capable enough to provide musical entertainment elsewhere in Micronesia.

We admit the fact that local bands are not as yet ready to compete with professional entertainers from other parts of the world. As much as we want to be able to compete, it will be almost impossible and improbable for there are no musical institutions available. To make the situation even worse, our high schools do not have bands and are not providing musical or instrumental lessons, unlike Guam, the Philippines and other countries. The big question is; is it really justice to import bands from the Philippines and leave several local bands jobless because they are not yet ready to compete with them? As far as priority is concerned in employment, who is to be given the 1st priority?

The continued unnecessary importation of alien bands to Saipan where Micronesians are readily available to provide a competent or quasi-competent services would prejudicially prevent and discourage many of our youths from making valuable use of their time and talents. Furthermore, our economy will be affected one way or the other (money drain).

The local bands have been providing music at school and community dances at a very low prices and sometimes no charge at all. For the past six (6) years the Department of Education has been sponsoring "Battle of the Bands" where they have made thousands of dollars for scholarships and other educational benefits and all the bands have gotten were cheap tropies. This is a contribution to the community and in return we have absolutely no protection or guaranteed jobs.

At the present time there are only two (2) establishments who are hiring local bands, Da Place and The Royal Taga. The remaining seven (7) bands are jobless. The Royal Taga and Da Place should be highly commended

for they are complying with the provisions in Title 49 of the Trust Territory Code as well as the amendments of Section eight (8) of said title which have been unenforced. The two establishments are giving the local people priority No.1 in employment and at the same time they are preserving our local talents.

We have heard over the radio and read in several periodicals that position vacancies should be announced. The Chamorro Island Hut and the Tropical Paradise have never announced any vacancies for bands. They just go right ahead and import bands from the Philippines. Is this justice? Is this in compliance to the law?

The man at the Department of Labor, who is authorizing the importation of bands from the Philippines, is not helping Micronesians help themselves, which he should be doing. He is helping Micronesians go jobless.

continued on page 9

DISTAD RESPONDS....

Memo to Employment Service Officer, Marianas

I am attaching herewith the original copy of a petition signed by some local entertainers who claimed that they have the sources and capabilities in providing musical entertainment which are presently being provided by some imported entertainers.

It is requested that you conduct a thorough investigation if the eight local bands can, in fact, provide local entertainment requirements as they so stated in their petition then I feel that imported entertainers should not be permitted to continue on after their contracts expire or earlier if possible.

Your cooperation will be most appreciated.

Francisco C. Ada, Distad



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GOBIETNO YAN TANO

Tautau Marianas, Hafa mohon hinason miyo pot este? Ginen sen angokuyon na ma emplelea gi Gobietnon i Distriton Marianas, hasangane yo gi ti abman ha na tiempo na sen megai na man acha paisanuta man na halom aplicasion man man gagagao tano publico para u ha na setbe komo gualo yan para lokue sina ufan man hatsa guma niha gi mismo lugat.

Yangin ti lache i infotmasion, pues magahet na sen na pinite yan desgusto na tratamiento yan situasion.

Sina ha buente guine gi oriyen Garapan pat i masea mano na banda gi san mena gi ya Saipan ta katkula na entero esta man ma okukupa, lao seguro yo na i san tate na banda gi tano megai na tano publico bakante ya ti mana sesetbe.

Maila fan ya ta chage kume soda i motibon i guaha siha na detension.

a) Hafa na tisina i man gagagao na tautau Marianas (especialmente i tautau Saipan) manae chadeg ni gina-gaoniniha na tano?

b) Yangin i Gobietno ha na atrasasao i maniaen tano, sa hafa?

1. Guaha planuna?
2. Guaha hapoluluye?
3. Ti man kualifikao i manman gagagao?
4. Ti nesesario na uhaprepara siha mientras man-hohoben ya u ha sosoda despues?
5. Nati mauleg na ufananom masea hafa para sea-caso na mana basta gi chechona? Pat taya batco mafatto sa guaha STRIKE? etc. etc.

I man acha tautauta Saipan seguro yo na gigon manae ni ginagaona na tano ha na setbe ensegidas, sa presiso.

I tautau ha depepnde gui gi Gobietno, ya i Gobietno debe udepepnde gui gi tautau siha.

Ademas sumen klaro ha na i Gobietno mas hananae i tautau san hiyon siha chadeg gi mas man mauleg na lugat siha gi halom i tano Marianas mas ke i mismo tautau i tanoha, ya esta pago ti manasesetbe.

Lokue guaha na tautau man gagao tano ya ti manae, lao guaha mananae asta dos pidaso.

Este siha na irregularidad umaachule yan i Economic Loan Fund na gigon malalagnos ensegidas ha man ma ayuda i man gai autoridad mientras i mamoble guaha nai hocog ha i takong sapatosna ni luchan catan gi oficina, ya taya probechona na i man dibe otro pat sapatos ya humahnanao ti manae. Hutungo na guaha sumusede este muna husasangan.

JOBLESS BANDS...

We like to conclude this letter by saying:

1. Give priority one to Micronesians in employment
2. Enforce the provisions in Title 49 of the Trust Territory Code as well as the Amendments of Section eight (8)
3. Let us utilize our Island's resources and preserve our local talents
4. Let our schools provide musical lessons, vocal and instrumental

Sincerely,

The Local Bands

Star Dusters

Rhythm 5

Society of 5

Editors

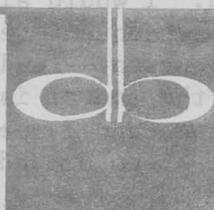
Toni and the Day Trippers

Delfonics

P.P.D.'s

The Beginners

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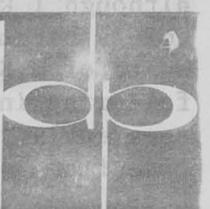
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HICOM WRITES OEO "HONCHO"**"LEGAL SERVICE WASTEFUL & UNPRODUCTIVE"**

Dear Mr. Mercer:

As you now know, I have allowed the above referenced Legal Services Grant to become effective without my consent. As a taxpayer and a conscientious government administrator, I could not approve this grant even after very thorough consideration of all factors involved. As you know from previous correspondence, we feel that the program has been overexpanded, poorly directed, wasteful and, in most cases, unproductive.

However, on behalf of the people of Micronesia, I did not feel that I could disapprove this program and have, therefore, allowed it to continue for a third program year in hopes that the excessive deficiencies and mismanagement can be eliminated and the effectiveness of the program improved. I would also hope that the budget requirements in subsequent years could be greatly reduced from the current funding level of \$60,000. I do not feel that the amount is essential to carry out a bona fide program, and I personally feel that the existing program has been expanded far beyond justifiable requirements.

One of the factors taken into consideration in reaching our decision on the grant was a letter from one of the attorneys employed by the program, who voluntarily wrote me concerning his thoughts on the proposed grant for the coming year. His letter stated in part "I understand that you have the authority to veto the appropriation for Micronesian Legal Services for our next fiscal year. I urge that you do so. I am writing this after considerable reflection and, although I know that other motives will be suspected, solely because I am very much disturbed at a colossal waste of U.S. Taxpayers' money. I made my views and the following information known to visiting OEO evaluators, apparently to no avail. They told me that our grant came from a fund which would not be available to other Legal Services programs and consequently that if we didn't spend it, 'it would just go back to the Treasury,' as if no one in their right mind could want such a thing."

Among the objections to the program were, and again I quote, "Ludicrously excessive staff -- Excessive salaries -- Unnecessary staff meetings and travel -- and Unneeded equipment." He concluded, however, by stating "I also wish to say that I think MLSC is a worthwhile program. We have had a few clients with serious problems who would have had no other way of obtaining justice."

My thoughts are very similar to those expressed in the above mentioned letter, and since an attachment to the grant entitled "Fiscal Limitations on OEO Funding" states in part "OEO may reduce the amount of this grant as a whole or as to any program account or accounts, may limit the rate of the grantee's authority to commit and spend funds, and may restrict the grantee's use of both its unobligated and unspent funds," I would urge you as High Commissioner of the Trust Territory to exercise this authority and to spend during the coming program year only those funds essential to a workable, effective legal program for the benefit of the citizens of Micronesia.

I regret the fact that I was requested to formally review this grant without receiving adequate backup data and information. Knowing that the grantee will be required to provide certain information within thirty

to sixty days "after the effective date of the grant" is of little benefit at the time a decision is to be made. We shall, however, eagerly await receipt of this information and very carefully scrutinize it in terms of our previous comments and communications and in terms of the current effectiveness of the program and its past history. We seriously hope that a more realistic viewpoint will be taken regarding this program so that the effectiveness and management of the program may be improved and the funding kept more in line with our current and prospective future needs.

By the copy of this letter, I am informing each member of the MLSC Board of Directors of our thoughts concerning the grant and urging them to cooperate with us to prevent any unnecessary and wasteful expenditures from this point on. I feel sure we can count on your assistance in reaching the goal set forth by the Congress of Micronesia when they first requested the program -- providing legal assistance actually needed by the Micronesian people in each of our six administrative districts.

Sincerely yours,

Edward E. Johnston
High Commissioner**AIN'T NO WAY... SAYS
ACTING MLSC BOSS**

As one who arrived in Saipan only last month, I can offer the perspective of a relatively neutral observer to this dispute.

In the first place, it must be understood that an attack of the nature of this one leveled by the High Commissioner is not new to legal services programs. Because an important mission of every legal services program is to represent persons who could not otherwise afford attorneys, against high-handed or unfair governmental actions, the experience has been that the more effective a legal services program is, the more likely is an attack from conservative government officials. Thus, Vice President Agnew attacked the Camden, New Jersey program because of its effective work against HUD and City Government in urban renewal cases; Governor Reagan attempted to veto the California Rural Legal Assistance Program, which worked closely with Cesar Chavez and is generally thought to be the best legal services program in the U.S.; and Arizona's Governor Williams attempted to stop the highly effective Phoenix program. Generally, these attacks are unsuccessful because they are without foundation.

I have not yet had any direct dealings with the High Commissioner and can not be certain of his motivations in opposing this program. Nevertheless, review of his letter does lead one to suspect that there is no sound reason for his opposition and that he may merely be trying to get rid of a program which can represent Micronesian individuals and groups in conflict with the Trust Territory Government.

continued on page 11

AIN'T NO WAY...

For example, the letter contains sweeping charges that the program is poorly directed and unproductive. However, not one fact in support of such charges is set out in the letter. I already know enough about Ted Mitchell's work and the results of this program in the short time the program has been established that I can say with certainty the High Commissioner has no basis for such charges. I cannot seriously believe he would have made the charges if he had adequately reflected upon them.

The main concern emphasized in the letter is this program's current funding level and the High Commissioner's personal feelings "that the existing program has been expanded far beyond justifiable requirements." As mentioned before, one tends to suspect that a government official who objects that a legal services program is too big is doing so because he wants to guard against any limits on his own power and authority. The suspicion is particularly strong in this case where (1) the funds involved do not decrease funds available to the Trust Territory Government but instead supplement funds otherwise coming into Micronesia and (2) the High Commissioner himself admits in his letter that he does not have detailed information about the use of funds in this program.

But assuming that the High Commissioner is acting in good faith and is genuinely concerned about the use of funds in our program, perhaps the following will be reassuring.

We assume he is aware that for our expatriate personnel (attorneys only—all others are Micronesians) rates of pay and fringe benefits are lower than for Trust Territory Government attorneys working at comparable levels and with comparable backgrounds and qualifications. We have no more than adequate facilities or equipment. In view of the Geography of the Micronesian Islands and the absence of effective Communications, the program's relatively high travel expenses are self explanatory. So the High Commissioner can only be objecting to our policies with respect to the hiring of Micronesians. Such objections are grounded either on a lack of understanding of the concept behind our Micronesian employment practices, or plain disagreement with the concept.

The concept is that all possible positions with this program, at all levels, are to be filled by Micronesians rather than by U.S. expatriates. The reasons for this are that: (1) any legal services program, to be effective, must involve itself in the community and cannot restrict itself to "outsider" employees; and (2) the ultimate aim of Ted Mitchell and almost all of the attorneys in this program is to work with Micronesian employees, administrators and attorneys as they develop their competence, and eventually to leave the program entirely in the hands of Micronesians.

Thus, eleven of our fourteen board members are Micronesians, as are approximately two-thirds of our staff in administration professional and secretarial capacities, and six of the eight Micronesians who are studying law in American law school are employed by MLSC during the summer of 1972.

We do not believe the attorney quoted in the High Commissioner's letter understood or accepted the need for Micronesian involvement and development in MESC. The High Commissioner's letter likewise exhibits a refusal to recognize either the necessity for full

commitment to Micronesian involvement and development or the steps necessary for and the cost of carrying out that commitment.

In passing, we would also note that OEO had been informed of the High Commissioner's position, and had considered it fully, before deciding to refund MLSC. The refunding decision was made only after a detailed audit and a thorough review of the program. We regard the decision as strong support for the commitment of MLSC to bear the cost of developing a Micronesian legal services program, run by Micronesians to serve Micronesians.

As the High Commissioner knows, Ted Mitchell is presently off the island because of other MLSC business. I regret that the High Commissioner's letter went out at a time when Ted can not be here to respond personally.

Edward C. King
Deputy Director
Micronesian Legal Services
Corporation

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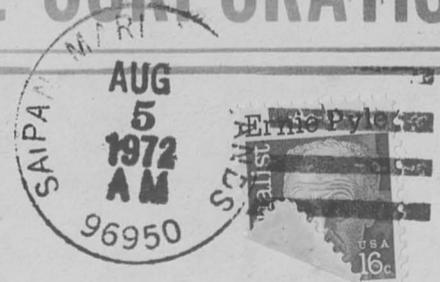
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