

RM



6-3-97

THE WHITE HOUSE
WASHINGTON

May 30, 1997

MR. PRESIDENT:

The attached memo recommends that you inform the Governor of the Northern Mariana Islands of your intention to extend federal minimum wage and immigration laws to the Islands.

The U.S. has administered the Islands under a U.N. trusteeship since 1947. In 1976, the Islands became a commonwealth pursuant to a Covenant with the U.S., and its people became U.S. citizens. The 1976 Covenant did not extend U.S. minimum wage and immigration laws to the Islands, but provided that this could be done in the future.

There are significant labor problems in the Islands, with low wages (minimum wage of \$2.90), many alien workers, poor working conditions and a high local jobless rate. These problems are reviewed in a recent Reader's Digest article. An Interior/Justice/Labor program to address these problems hasn't been successful, and these agencies now recommend extending our minimum wage and immigration laws to the Islands.

The debate over applying the U.S. minimum wage is longstanding, with opponents claiming that it would hurt the economy, especially the garment industry. But the NEC points out that Guam, the Islands' closest neighbor, pays the U.S. minimum wage and still maintains a strong economy.

NEC concurs in extension of minimum wage and immigration laws to the Islands, as do the relevant White House offices. If you approve, please sign the attached letter to the Governor, plus a short note to Rep. George Miller, who has a bill that would phase in the federal minimum wage law.

THE WHITE HOUSE

WASHINGTON

May 21, 1997

MEMORANDUM TO THE PRESIDENT

CC: SYLVIA MATHEWS CHARLES RUFF GENE SPERLING
MARCIA HALE KITTY HIGGINS BRUCE REED
JOHN HILLEY RAHM EMANUEL

FROM: JEFFREY FARROW^{JF}
LUCIA WYMAN
MARIA ECHAVESTE

SUBJECT: NORTHERN MARIANAS LABOR LAW PROPOSAL LETTERS 57 MAY 22 PM 1:17

This is to recommend that you sign the attached two letters supporting application of Federal immigration, naturalization, and minimum wage laws to the Commonwealth of the Northern Mariana Islands in an appropriate manner. We join the Interior Department in recommending this policy, which has also been agreed to by the Justice and Labor Departments.

- The first letter would notify the islands' Governor and Representative to the Federal Government as well as the bipartisan leaders of the lead Congressional committees on insular affairs of this position.
- The second would compliment House Resources Committee Ranking Democrat George Miller for his work on the issue. Miller (with 43 other Members) has sponsored a bill that would extend the laws -- but do so more abruptly than the agencies feel advisable.

Further Background

The 1975-6 agreement by which the Northern Mariana Islands became U.S. territory did not immediately apply Federal immigration, naturalization, and minimum wage laws because islanders were concerned that 1) they could be overwhelmed by Asians who would want to be on U.S. soil but remain close to their homelands and 2) the U.S. minimum wage would strangle their economy. The agreement also, however, specified that these laws could be extended later.

The Commonwealth has developed a labor system which:

- imports aliens on a basis that it considers "temporary" (even though the periods last for years at a time) to perform the vast majority of its permanent jobs;

- includes a low minimum wage that practically only applies to these Chinese, Filipino, etc. workers and is far below the prevailing wage paid to island residents -- as well as the national minimum wage paid to all workers in the adjacent territory of Guam;
- has resulted in 'temporary' workers becoming a majority of the Marianas' 60,000 population without most rights in the community or any representation in its government;
- houses most aliens in segregated facilities and allows employers and foreign labor suppliers to require some to agree not to marry, unionize or express political views;
- has resulted in widespread financial and bodily abuse of these workers, inadequately enforces the rights that they do have, and enables workers who complain to be deported;
- has resulted in a 14% jobless rate among local residents;
- uses aliens to produce \$500 million a year (wholesale) in "Made in the USA" garments, unfairly competing with production elsewhere under the U.S. flag;
- undermines our expressions of concern about foreign labor conditions; and
- enables (according to the FBI and U.S. Attorney) criminals to enter U.S. territory.

Executive Branch officials and Members of Congress have urged insular officials to change the system for 12 years but it is getting worse. Local officials recently decided to admit 6,000 more garment workers and proposed canceling a 15 cent increase in the \$2.90 minimum wage.

The Interior, Labor, and Justice Departments initiated a program to assist the insular government in addressing the system's problems a few years ago. Unfortunately, it has not been very successful. Governor Tenorio, who promised to clean-up the situation after being elected in 1993, has increasingly resisted Administration efforts to obtain local reforms.

An annual report on the program to be completed soon will recommend the phase-in of Federal immigration and minimum wage law as well as a limit in the use of the "Made in the USA" label.

Rep. Miller's bill would require a quicker application of immigration law and a phase-in of the national minimum wage that is quicker than the agencies may ultimately recommend.

National attention to the problems will be heightened by a Reader's Digest article now being placed on newstands. A copy of this article is attached along with other clippings on the issue.

Finally, you should be aware that Tenorio and most local officials oppose extension of Federal immigration and wage laws -- even on a modified basis -- as does House Majority Whip DeLay.

THE WHITE HOUSE

WASHINGTON

Dear George:

Thank you for the work that you have done to correct the serious problems with the labor system in the Northern Mariana Islands. Your efforts represent a significant service to many of those living and working in the Commonwealth.

Enclosed is a copy of a letter that I have sent to Governor Tenorio on this matter. Please know that I look forward to working with you and other Members of Congress to enact legislation that will eliminate these alarming conditions.

Sincerely,

The Honorable George Miller
House of Representatives
Washington, D.C. 20515

THE WHITE HOUSE
WASHINGTON

May 30, 1997

The Honorable Froilan C. Tenorio
Governor of the Northern Mariana Islands
Saipan, MP 96950

Dear Froilan:

As you know, the 1976 Covenant that established the political union between the Northern Mariana Islands and the United States did not immediately extend all of our Nation's immigration, naturalization, and minimum wage laws to the Commonwealth. The Covenant provided, however, that these laws would be extended at a later time.

I am writing now out of concern about certain labor practices in the islands that are inconsistent with our country's values. More than half of the people in the islands are temporary alien workers; these workers, who comprise an overwhelming majority of the islands' work force, are imported to fill permanent jobs, while the jobless rate among residents remains high; the minimum wage is plainly inadequate; there have been persistent incidents of improper treatment of alien workers and inadequate enforcement of their rights; and manufacturers using foreign workers unfairly compete with other production under the U.S. flag.

Federal officials have, for many years, strongly encouraged Commonwealth officials to rectify these problems and have provided substantial assistance for doing so, but the problems persist and, in some cases, are getting worse. I have, therefore, concluded that federal immigration, naturalization, and minimum wage laws should now be applied to the Commonwealth, as provided by the Covenant.

My Administration will work with the Congress to extend these laws in a reasonable and appropriate manner. We will, of course, consult with you and other representatives of the Commonwealth about how these laws should be applied.

I am dedicated, as I am sure you are, to protecting the rights and well-being of all who work and live in the Islands as well as to fulfilling our mutual Covenant responsibilities.

Sincerely,



June 1997

Articles of lasting interest

SPECIAL REPORT

SHAME **on American Soil**

Old Glory flies over this sprinkling of
Pacific islands. But beneath our flag
appalling abuses are flourishing

BY HENRY HURT



WENDY DOROMAL was asleep in her home on the island of Rota when the telephone rang at 5:30 a.m. A housekeeper named Thelma Landeza, the caller said, had been raped by her employer, a politically well-connected businessman. Afraid to go to the local authorities, Landeza had walked for hours to the refuge of an underground network on Rota.

Doromal, then 40, quickly dressed and set out to help. Such missions were in stark contrast to what the art teacher from Vernon, Conn., expected when she first came to the U.S.-owned Northern Mariana Islands, a scattering of volcanic specks in the western Pacific Ocean.

Doromal and her family loved Rota's sandy beaches and clear, blue ocean. But drastic changes were taking place in this paradise—changes that have deeply stained America's reputation as the champion of human rights all over the world.

Lured by fee-driven recruiters, thousands of poor Asian "guest workers" were pouring into the Northern Marianas. Virtually every native household had at least one Filipino maid.

Doromal soon discovered serious cases of workers being cheated out of wages and physically abused. The transgressors were the native population—an elite minority who maintained effective control of every government function. Although the newcomers outnumbered the natives, they had no voice or vote. And so Wendy Doromal, less than five feet tall but forceful and articulate, gradually became their advocate.

No Charges. "When I saw Thelma that morning," Doromal recalls, "the fear shot from her face into my heart. She'd been beaten and she was crying and trembling."

Landez's tale was harrowing. At 38 and widowed, the small, sweet-faced woman had sought work in



the Northern Marianas to send money to her five children in the Philippines. "It was supposed to be like going to America," she says.

But that's not the way it turned out for Landeza or thousands of other men and women like her. From 1990 to 1993, she says, she was paid the domestic wage of 69 cents an hour for 12-hour days; she also was "rented out" to another party for an additional six hours a day, for which she never saw a cent. Landeza was supposed to have Sundays off but says she did not.

Like many other workers, Landeza was afraid to complain to local labor officials. She says her boss, Rafael Quitugua, flaunted his connections with those very people. She couldn't risk being returned jobless to the Philippines.

Then, according to Landeza, on the night of October 16, 1993, Quitugua ordered her to clean up a bar he owned. Driving her back home, the man reached for Landeza and said, "I like you very much." He veered down a path toward an isolated beach.

"I screamed and fought him and begged him to take me home," she says. "But he beat me and finally raped me. He said, 'If you ever tell what happened, I'll kill you.'"

Doromal didn't want this to become another unprosecuted case because of "insufficient evidence." So she and Landeza took the first morning flight to the island of Saipan, the Northern Marianas' seat of government. There, Dr. David McGarey of the Commonwealth Health Center noted

abrasions on Landeza's body. He diagnosed "apparent rape" and collected specimens for a rape evidence kit that he turned over to authorities.

Doromal also summoned Renato Villapando, principal officer of the Philippine consulate. To assure immediate attention, he wrote a detailed account of Thelma's story that he sent to the attorney general of the Northern Marianas.

Weeks passed, however, and then months. No charges were brought. Quitugua, meanwhile, maintained his innocence.

Privileged Minority. American interest in the Northern Marianas was born in the blood of 5289 American soldiers who died there in 1944 wresting the islands from the Japanese. The territories languished for decades until 1976 when the U.S. Congress created the Commonwealth of the Northern Mariana Islands (CNMI). A decade later its residents became American



Thelma Landeza
"It was supposed to be like
going to America."

SHAME ON AMERICAN SOIL

citizens. Under the agreement, Congress allowed CNMI to set its own immigration policies, and the U.S. minimum wage would not apply to its workers.

The result was rapid economic growth, as entrepreneurs flocked to Saipan to open factories and develop tourism. The most common products were garments carrying the coveted "Made in U.S.A." label that entered the U.S. mainland duty-free. From all over Asia, especially the Philippines, destitute workers arrived to work in these factories and in the islands' booming hotels, restaurants and bars.

Their wages, though higher than in their native countries, were quite low—and remain so today. The biggest winners are the natives. The law grants a legal monopoly of all land in the Northern Marianas to these Pacific islanders, who can lease their property to factory and hotel operators at handsome prices.



Wendy Doromal
Forced, with her family, to flee
the island

Today only about 38 percent of the CNMI population of 59,000 is of native descent. "They are an exclusive minority with the power to dominate and exploit others," says Mikel W. Schwab, assistant U.S. Attorney and chief of the civil division that oversees the CNMI. "What's missing is equal protection under the law."

The case of Thelma Landeza was one of more than 500 complaints that reached Doromal starting in 1989. As an underground network of sympathizers grew up around her, Doromal accumulated hundreds of pages of statements—all of which she readily shared with any official agency she could persuade to listen. While more than half the cases involved wage disputes, others included workers tortured, forced into prostitution and held in sexual servitude.

"In my own experience as a civil prosecutor," says Schwab, "I have witnessed a level of human exploitation that makes Doromal's cases ring with credibility." But his civil division had no primary authority to investigate or prosecute rapes and assaults that occurred in jurisdictions under the control of the CNMI attorney general's office.

Doromal and her husband, Boboy, provided food and shelter for workers and helped them file complaints. Most important, they stood beside them in the face of predictable wrath from their employers and government officials.

In one case Rota's mayor, Joseph S. Inos, was accused of forcing a waitress to perform oral sex. She

fled to Doromal, saying she was afraid to tell the police, who worked for the mayor. She was hiding there the next day when Inos showed up at 6 a.m. looking for her. No charges were ever brought. Mayor Inos denies that he was "involved in any improprieties" with the waitress.

In another incident, CNMI's soon-

tires of the family car were slashed. Her family was ostracized, and this pressure forced Doromal to resign from her teaching position.

On August 29, 1994, the Doromals fled to Saipan. There CNMI Governor Froilan C. Tenorio met with Doromal and assured her that the worst labor abusers would be prosecuted.

A few weeks later, in September, Governor Tenorio sat before a U.S. Senate subcommittee in Washington, D.C. With great humility he conceded that many of the charges reported in the press—which were first raised by Doromal—were accurate: "I am saddened and ashamed.

Workers have been cheated and forced to live in subhuman conditions, locked in during nonwork hours, and been beaten and raped. Our administration will do everything in our power to end labor abuse."

Blaming the Victim. A few days after meeting with Tenorio, Doromal received a call from Rota's underground network. A hysterical young woman named Teresa* was claiming that for several weeks she had been locked up by her employer and repeatedly raped.

Doromal arranged for Teresa to be brought to a Saipan hospital. "She kept going into corners and rocking back and forth, crying," Doromal says.

Teresa, 24, was an animated woman who had studied hotel and restaurant management in the Philippines.

*Name has been changed to protect privacy.



to-be-named director of commerce and labor, Pedro Dela Cruz, wrote the owner of a nightclub: "I must say that with all the dancers/strippers in Rota, your two girls are superb. They are sexually seducing." When asked about the note, Dela Cruz replied, "What was wrong with it?"

Hollow Promises. As Doromal continued her fearless campaign, CNMI authorities sought to discredit her. She was accused of everything from fabricating stories to harboring illegal workers. By the summer of 1994, however, her files had become the basis for a government task-force investigation that confirmed a number of her charges.

Growing publicity about worker abuses set off local rage against Doromal and her family. Anonymous phone calls threatened death. The

SHAME ON AMERICAN SOIL

But employment there was scarce. A job on Rota with an establishment described by the recruiter as an "upscale restaurant" seemed the surest route to good money. The establishment, however, was little more than a brothel.

In desperation Teresa accepted the friendly overtures of a politically well-connected man who got her out of the club. Teresa says she went to work for him—only to be locked in a remote farmhouse where she was tied up, beaten and raped daily until she escaped after three weeks.

A Saipan doctor found her rectum lacerated and her vagina showing signs of repeated intercourse. He also noted human bite marks on her body. He concluded, "The findings are all consistent with forced intercourse."

Under the glare of publicity stirred up by Doromal, the CNMI attorney general's office investigated Teresa's case. Four months later it concluded that the evidence was insufficient to go to trial. The case was dropped.

Cheryl Gill, former chief of the attorney general's criminal division, described an intensive investigation of Teresa. In the end, Gill said, it appeared that the victim had been intimate with her boss before she began working for him. "The medical findings are of very little value," Gill explained.

"Something is all wrong when they investigate the *victim*," Doromal says. "I wish they'd spent their time looking into the *attacker*."

Two weeks after Teresa's case was dropped, Governor Tenorio was back in Washington to inform Congress that

his administration was making substantial progress in cleaning up human-rights violations. Employers who abuse contract workers, he said, "are being investigated, prosecuted and convicted."

To Doromal, such words meant that nothing had changed. But with no regular job, her family couldn't stay in the Northern Marianas; they returned to the U.S. mainland in May 1995.

"We'll Give You a Plane Ticket." In December 1995, almost a year after Tenorio last told Congress he was cleaning up human-rights violations, Maria,* a tiny Filipino woman with a childlike face, stood frozen on the stage of a Rota nightclub, tears in her eyes. It was Maria's first night of work, and she had been promised she would never be asked to dance nude. But now, amid catcalls, her boss was demanding that she strip.

He threatened her until she gave in. But that wasn't enough; soon he demanded that she have sex with him and "go out with customers." Maria refused. She was forced from her job and returned to the Philippines, where she told her story to Reader's Digest.

Despite such reports, CNMI Acting Attorney General Robert B. Dunlap II claims conditions are much improved. "We have doubled our efforts," he says. "We have set up an office and a hot line so nonresident workers with complaints can get in touch with us." Dunlap scoffed at the idea that forced prostitution has been prevalent on Rota. "We sent two investigators to Rota," he says. "They stayed

*Name has been changed to protect privacy.

a week trying to attract a prostitute—and never found one."

Tenorio, up for re-election in November, maintains he is doing all he can to make a good situation for contract workers even better. Meanwhile, he is conducting a million-dollar public-relations campaign to shore up the CNMI's image, bringing dozens of Congressmen and staffers to tour the Northern Marianas.

"The thinking is 'Don't fix the problem, fix the image,'" says Eric Grégoire, a New Jersey native who is the human-rights advocate for the Catholic Church in the Northern Marianas. He is still summoned to Rota regularly by Wendy Doromal's original underground network.

As recently as last summer Jesus Varela, labor representative at the Philippine consulate in Saipan, took declarations from four young women who had fled Rota, claiming their boss at the Red Rose nightclub had sexually harassed them and cheated them out of wages.

In interviews the four women stated that they had first complained to the CNMI labor representative on Rota. His response: "Either go back to the Red Rose or get the hell back to the Philippines." The

CNMI government denies its labor representative said this.

When the women were finally given a hearing earlier this year, the CNMI scheduled the proceeding in Mayor Inos's office. Inos's son, Perry, was the attorney for the owner of the Red Rose, Juan Hattori. The women protested, and the CNMI government moved the hearing to a more neutral location—the office of the governor's representative on Rota.

In a tape recording of the hearing, given to Reader's Digest, attorney Inos is heard telling the women, "We'll give you a plane ticket. You can go back to the Philippines tonight. We'll give you \$100 pocket money." Hattori has denied the women's charges. Nonetheless he has reached an undisclosed settlement with them.

Meanwhile, reports of abuses are not confined to Rota:

- A 14-year-old Filipino girl was forced to dance nude in a Saipan nightclub, according to an "oppressive child labor" complaint filed by the U.S. Department of Labor. She testified that she also had to engage in oral sex with customers on stage before a video camera. The club owners say the complaint is



Eric Grégoire
"The thinking is...
fix the image."

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Sincerely,

The Honorable George Miller
House of Representatives
Washington, D.C. 20515

WHITE HOUSE STAFFING MEMORANDUM

DATE: 5-20 ACTION/CONCURRENCE/COMMENT DUE BY: 5-21 8amSUBJECT: N. Mariana Islands

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	McCURRY	☐	☒
BOWLES	☒	☐	McGINTY	☐	☐
McLARTY	☐	☐	NASH	☐	☐
PODESTA	☐	☐	RUFF	☒	☐
MATHEWS	☒	☐	SMITH	☐	☐
RAINES	☐	☐	REED	☐	☐
BAER	☐	☐	SOSNIK	☐	☐
ECHAVESTE	☐	☐	LEWIS	☐	☐
EMANUEL	☒	☐	YELLEN	☐	☐
GIBBONS	☐	☐	STREETT	☐	☐
HALE	☐	☐	SPERLING	☒	☐
RADD	☐	☐	TARULLO	☐	☐
HIGGINS	☐	☐	VERVEER	☐	☐
HILLEY	☐	☐	_____	☐	☐
KLAIN	☐	☐	_____	☐	☐
BERGER	☐	☐	_____	☐	☐
LINDSEY	☐	☐	_____	☐	☐

REMARKS:

Proposal is to apply minimum wage

RESPONSE:

& immigration laws to Northern Mariana Islands. Some sensitive.
 Please advise if you have comment.

Staff Secretary

THE WHITE HOUSE

WASHINGTON

May 20, 1997

MEMORANDUM TO THE PRESIDENT

~~THROUGH:~~ TODD STERN

CC: SYLVIA MATHEWS
MARCIA HALE
JOHN HILLEY

FROM: JEFFREY FARROW ^{JF}
LUCIA WYMAN
MARIA ECHAVESTE

SUBJECT: NORTHERN MARIANAS LABOR LAW PROPOSAL LETTERS

This is to recommend that you sign the attached two letters supporting extension of Federal immigration, naturalization, and minimum wage laws to the Commonwealth of the Northern Mariana Islands in an appropriate manner. We join the Interior Department in recommending this policy, which has also been agreed to by the Justice and Labor Departments.

- The first letter would notify the islands' Governor and Representative to the Federal Government as well as the bipartisan leaders of the lead Congressional committees on insular affairs of this position.
- The second would compliment House Resources Committee Ranking Democrat George Miller for his work on the issue. Miller (with 43 other Members) has sponsored a bill that would extend the laws -- but do so more abruptly than the agencies recommend.

Further Background

The 1975-6 agreement by which the Northern Mariana Islands became U.S. territory did not immediately apply Federal immigration, naturalization, and minimum wage laws because islanders were concerned that 1) they could be overwhelmed by Asians who would want to be on U.S. soil but remain close to their homelands and 2) the U.S. minimum wage would strangle their economy. The agreement also, however, specified that these laws could be extended later.

The Commonwealth has developed a labor system which:

- relies upon temporary alien workers to perform the vast majority of its permanent jobs;

- includes a low minimum wage that is far below the prevailing wage;
- has resulted in temporary workers becoming a majority of the islands' 60,000 population;
- houses most of these workers in segregated facilities;
- allows employers and foreign labor suppliers to require some workers to agree not to marry, unionize or express political views;
- has resulted in widespread and persistent financial and personal abuse of workers;
- inadequately enforces violations of the rights that the alien workers do have;
- has resulted in a 14% jobless rate among local residents;
- uses alien workers to produce \$500 million a year (wholesale value) in garments labeled "Made in the USA", unfairly competing with production elsewhere under the U.S. flag;
- enables foreign criminals to enter U.S. soil; and
- has attracted national media attention and prompted Congressional complaints.

Federal officials have urged insular officials to change the system for at least 12 years but they have done the opposite. They recently 1) agreed to admit 6,000 more garment workers and 2) proposed canceling a 15 cent increase in the \$2.90 minimum wage.

The Interior, Labor, and Justice Departments initiated a program to assist the insular government in addressing problems with the system a few years ago, but it has not been as successful as hoped.

An annual report to be completed soon will recommend the measures referenced in the letters.

National attention will be heightened by a Reader's Digest article being placed on newsstands today, a copy of which is attached, along with other clippings on the issue.

Finally, you should be aware that Governor Tenorio and most local officials oppose extension of Federal immigration and wage laws as does House Majority Whip DeLay.

May 20, 1997

The Honorable Froilan C. Tenorio
Governor of the Northern Mariana Islands
Saipan, MP 96950

Dear Froilan:

As you know, the 1976 Covenant that established the political union between the Northern Mariana Islands and the United States did not immediately extend all of our Nation's immigration, naturalization, and minimum wage laws to the Commonwealth. The Covenant provided, however, that these laws would be extended at a later time.

I am writing now out of concern ^{to fill} about certain labor practices in the islands that are inconsistent with our country's values. More than half of the people in the islands are temporary alien workers; these workers, who comprise an overwhelming majority of the islands' work force, are imported ~~for~~ permanent jobs, while the jobless rate among residents remains high; the minimum wage is plainly inadequate; there have been persistent incidences of improper treatment of alien workers and inadequate enforcement of their rights; and manufacturers using foreign workers unfairly compete with other production under the U.S. flag.

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Sincerely,

BC/JAD/efr-ws (Corres. #3518947)
(5.tenorio.fc)

Xeroxed copy of personally signed original to NH through Todd Stern

CLEAR THRU TODD STERN

PRESIDENT TO SIGN

Phil —

Just as reply —

PC should

See or know about

MS

—

Remember to
add both
letters

THE WHITE HOUSE
WASHINGTON

May 20, 1997

'97 MAY 21 AM 11:25

MEMORANDUM TO THE PRESIDENT

CC: SYLVIA MATHEWS KITTY HIGGINS
MARCIA HALE KATHY WALLMAN
JOHN HILLEY ELENA KAGEN
CHARLES RUFF

FROM: JEFFREY FARROW ^{JR}
LUCIA WYMAN
MARIA ECHAVESTE

OK
L. Kraft

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May 20, 1997

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Old & Raffy

CC: SYLVIA MATHEWS
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JOHN HILLEY

FROM: JEFFREY FARROW ^{JF}
LUCIA WYMAN
MARIA ECHAVESTE

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- The second would compliment House Resources Committee Ranking Democrat George Miller for his work on the issue. Miller (with 43 other Members) has sponsored a bill that would extend the laws -- but do so more abruptly than the agencies recommend.

Further Background

The 1975-6 agreement by which the Northern Mariana Islands became U.S. territory did not immediately apply Federal immigration, naturalization, and minimum wage laws because islanders were concerned that 1) they could be overwhelmed by Asians who would want to be on U.S. soil but remain close to their homelands and 2) the U.S. minimum wage would strangle their economy. The agreement also, however, specified that these laws could be extended later.

The Commonwealth has developed a labor system which:

- relies upon temporary alien workers to perform the vast majority of its permanent jobs;

- includes a low minimum wage that is far below the prevailing wage;
- has resulted in temporary workers becoming a majority of the islands' 60,000 population;
- houses most of these workers in segregated facilities;
- allows employers and foreign labor suppliers to require some workers to agree not to marry, unionize or express political views;
- has resulted in widespread and persistent financial and personal abuse of workers;
- inadequately enforces violations of the rights that the alien workers do have;
- has resulted in a 14% jobless rate among local residents;
- uses alien workers to produce \$500 million a year (wholesale value) in garments labeled "Made in the USA", unfairly competing with production elsewhere under the U.S. flag;
- enables foreign criminals to enter U.S. soil; and
- has attracted national media attention and prompted Congressional complaints.

Federal officials have urged insular officials to change the system for at least 12 years but they have done the opposite. They recently 1) agreed to admit 6,000 more garment workers and 2) proposed canceling a 15 cent increase in the \$2.90 minimum wage.

The Interior, Labor, and Justice Departments initiated a program to assist the insular government in addressing problems with the system a few years ago, but it has not been as successful as hoped.

An annual report to be completed soon will recommend the measures referenced in the letters.

National attention will be heightened by a Reader's Digest article being placed on newsstands today, a copy of which is attached, along with other clippings on the issue.

Finally, you should be aware that Governor Tenorio and most local officials oppose extension of Federal immigration and wage laws as does House Majority Whip DeLay.

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Congress should act on Northern Marianas

PATIENCE with the Northern Marianas government is running out in Washington. A group of Democratic members of the House of Representatives, including Hawaii's members, is seeking expansion of federal control of the islands to deal with abuses of foreign labor. These reportedly include forced prostitution, drug activity and labor practices likened to slavery.

Rep. George Miller, D-Calif., has introduced a bill to raise the minimum wage in the Northern Marianas to the federal level, institute federal control over immigration and require garment manufacturers to comply with federal labor laws. Hawaii Reps. Neil Abercrombie and Patsy Mink are among the 25 co-sponsors.



Neil Abercrombie

The Northern Marianas were formerly part of the Trust Territory of the Pacific Islands. They became a U.S. commonwealth in 1978 after the people approved that status in a plebiscite. As a commonwealth, the islands have limited autonomy but are still under U.S. control.

Complaints about employer mistreatment of foreign labor have been heard

for years. Two years ago an official of the Interior Department's Office of Territorial and International Affairs told a meeting organized by Hawaii Filipino leaders that the reported violations of human rights in the Northern Marianas "have no place in a place that flies the U.S. flag." The official spoke in Honolulu en route back to Washington from an inspection trip to Saipan, capital of the Northern Marianas.

Miller charges that the human-rights violations continue in the islands despite criticism by Congress and federal agencies. He says, "These workers are not free." His bill has the support of Filipino organizations in Hawaii. Filipinos comprise the largest group of foreign workers in the islands, but there are also workers from China, South Korea and Japan.

A bill to federalize the Northern Marianas' minimum wage passed the Senate last year but died in the House. Miller's bill is worthy of support in view of the inability of the commonwealth government to deal with the problem. These abuses need not and should not be tolerated because the Northern has commonwealth status.

36 APRIL 25, 1997

OPINION

Plans to strip CNMI of its labor, immigration authority not surprising

If U.S. Congressman George Miller has his way, the Commonwealth of the Northern Marianas will be stripped of its power to control immigration, set its own labor standards or sell goods with the label "Made in the USA."

That announcement should not come as a surprise, because U.S. lawmakers and federal officials who have oversight of the commonwealth's affairs have threatened to do that for several years because of continued reports of abuse of these powers.

If Miller, who is the senior-ranking Democrat on the House Resources Committee, gets the support he needs, this may be the end of the line for unchecked control of immigration and labor in the Northern Marianas.

Besides curtailing CNMI immigration and labor powers, Miller has written legislation that will force the Saipan government to increase its minimum wage — something that Northern Marianas leaders have been reluctant to enact.

For years the commonwealth has been the subject of numerous investigations and scathing criticism about indiscriminately importing thousands of alien workers to fill low-paying jobs — frequently described as sweat shops.

Even with repeated promises from CNMI leaders to comply with federal demands to clamp down on admitted abuses, Miller isn't buying that anymore.

Along with his bill, Miller will release a 21-page report that details "systematic labor, human rights and immigration abuses in the Commonwealth of the Northern Marianas and attempts to shield these abuses from public scrutiny."

If Miller, who is the senior-ranking Democrat on the House Resources Committee, gets the support he needs, this may be the end of the line for unchecked control of immigration and labor in the Northern Marianas.

If even a fraction of the numerous allegations of tolerance for illegal and immoral recruiting practices, human rights abuses and uncontrolled immigration are true, the CNMI deserves to be censured.

There must be competitive balance for states and territories that comply with federal rules. And it's not right that foreign workers are treated so shabbily while someone else profits.

If the CNMI government and businesses that indulge in this practice want to benefit from America's reputation, then they need to subscribe to the principles that founded this nation.

Otherwise, sew a label on every garment that says: "Made in the CNMI by Low Paid Alien Workers."

Amid Criticism, U.S. Commonwealth Trying to Win Congressional Favor

By William Branigin
Washington Post Staff Writer

In an unusual lobbying blitz, the governor of a tiny collection of U.S.-affiliated Pacific islands is inviting scores of congressmen and staffers to visit on expense-paid junkets, raising hackles among federal agencies and questions about the role of a wealthy garment manufacturer who is a leading local donor to the Democratic Party.

Froilan Tenorio, governor of the Commonwealth of the Northern Mariana Islands, is waging the public relations campaign in an effort to blunt criticism of labor and human rights abuses and promote what he calls an "economic miracle" in his Western Pacific territory, a U.S. outpost known as the CNMI.

Critics say the miracle looks more like a mirage built on about \$1 billion in federal grants over the past 20 years and the exploitation of Asian labor since the islands became a U.S. commonwealth in 1986. They charge that instead of dealing with its problems, the commonwealth government is spending more than \$1 million on lobbyists and junkets designed to burnish the islands' image and bamboozle congressional visitors.

The main aim of this campaign, initially directed at Republicans and conservatives, is to head off any move by Washington to transfer control over immigration and the minimum wage from the commonwealth to the federal government, which exercises this control on most other U.S. flag islands.

The CNMI's attempts to influence policy in Washington have coincided with a surge of political contributions to the Democratic Party last year from the neighboring U.S. territory of Guam, which is seeking the kind of local autonomy that the commonwealth is trying to defend.

only 37 percent of the CNMI's population of 60,000.

The imported workers have included young women who have been promised jobs as waitresses, then forced into the sex trade. Farmers and construction laborers also have been cheated of their wages, maids have become virtual slaves to local families on welfare, and the Chinese garment workers have been persecuted by their government for exercising rights guaranteed by U.S. law, human rights advocates report.

However, much of this appears to have escaped the congressional visitors, who generally have extolled the virtues of the commonwealth after their CNMI-paid trips and a few days of being wined and dined by local au-

thorities and businessmen, usually with plenty of beach and golf time thrown in.

Because the commonwealth is treated for congressional ethics purposes like a state or local government, legislators are allowed to accept such junkets, and there are no disclosure or reporting requirements. Since last April, the CNMI has played host to at least eight separate congressional delegations, most of them since December when the lobbying campaign escalated.

Explaining why he made the trip, Rohrabacher said on his return, "There are a lot of Pacific issues that are important to my district. I border right on the ocean."

He and other visiting members of

Congress praised the CNMI's approach to immigration and its "business-friendly" atmosphere. They "met lots of guest workers," including three young Chinese women at a garment factory barracks, and "all seemed to be very happy," Rohrabacher said.

Another recruit to the governor's cause, Doug Bandow of the Cato Institute, hailed the islands in a report last year as a "remarkable laboratory of liberty."

A number of federal officials, labor activists, church leaders, human rights advocates and workers disagree. In a "critique" of Bandow's report, the Interior Department attributed the CNMI's claimed economic successes to "aberrations" of American democracy and capitalism.

Despite the local government's claims to have cracked down, a department official said, "there are still widespread abuses of overseas contract workers in the CNMI," notably in the garment industry. The factories use the commonwealth to produce clothes that carry "Made in U.S.A." labels and are shipped to the U.S. market without customs duties or quotas.

Wendy Doromal, a schoolteacher who was forced to flee the islands amid death threats after she exposed labor and human rights abuses against guest workers there, warned in a letter to Clinton last month that letting the CNMI keep control of immigration and the minimum wage would be "a dangerous mistake." She called for a stronger federal presence.

"How can we, as Americans who denounce human rights abuses all over the world, remain silent when such human rights abuses are occurring on our own soil?" she asked.

Undaunted, the CNMI plans to invite dozens more members of Congress out to the islands this year and to shift its focus to the Senate, Broadhurst said.

FOR MORE INFORMATION

For detailed geographic, demographic, economic and political data on the Northern Mariana Islands, click on the above symbol on the front page of The Post's site on the World Wide Web at <http://www.washingtonpost.com>

The governor of Guam got the ear of President Clinton by raising more than \$640,000 for Democrats last year, making the island the biggest donor to the party per capita of any U.S. state or territory. The contributions were followed by a controversial policy shift by the Clinton administration on key issues of Guam territorial autonomy. The administration has denied any link between the donations and its new support for Guam's positions.

Among the latest of more than 60 VIPs invited to the CNMI in the last 10 months have been Rep. Dana Rohrabacher (R-Calif.) and his fiancée and Reps. John J. Duncan Jr. (R-Tenn.), Edan P. Bilbray (R-Calif.) and Ralph M. Hall (D-Tex.) and their wives, who arrived in December. At the end of January, Democratic Reps. Bennie Thompson (Miss.) and James E. Clyburn (S.C.) stopped on the main island of Saipan for three days on a trip sponsored by the National Security Council Foundation.

Their schedules have typically included guided tours of one of several garment factories owned by Willie Tan, an influential Chinese American businessman who dominates the commonwealth's economy. Tan, who was fined \$9 million by the federal government in 1992 for labor violations, usually meets with the visitors when he is on Saipan. Mark Broadhurst, the governor's spokesman, said. Last year, his firm donated at least \$20,000 to the Democratic National Committee, Federal Election Commission records show.

Broadhurst denied that any of the congressional visits were financed by Tan, but questions have persisted about Tan's role. After being informed that Tan had paid the largest fine ever levied by the U.S. Labor Department, Rep. Thompson said he "thought it ironic that we visited that operation." Tan has described his labor problems as solved, but 20 Chinese garment workers recently filed suit against two of his Saipan-based factories, alleging that they were denied the local minimum wage and threatened by a supervisor with deportation for complaining. A lawyer for Tan disavowed the supervisor's actions and said the workers' allegations of wage violations "were not meritorious."

The complaints are among thousands of Chinese who have been brought in to work in garment factories in the CNMI, often in harsh conditions. The CNMI has used its control of immigration to let in tens of thousands of other Asian guest workers, mostly from the Philippines. These workers outnumber the native islanders, who account for

U.S. Appalled by Abuse on Tiny Island

Administration Threatens Crackdown for U.S.-Affiliated Commonwealth

By Eric Pianin
Washington Post Staff Writer

Appalled by incidents of rape and abuse of foreign workers on a tiny "paradise" U.S. island in the Pacific, senators and Clinton administration officials yesterday threatened a federal crackdown unless island officials put an end to the widespread abuses.

Federal overseers of Rota, an island belonging to the U.S.-affiliated Commonwealth of the Northern Mariana Islands, are in an uproar over reports by The Washington Post and other news organizations of waitresses forced into prostitution and nude dancing; housemaids who were beaten, raped and locked in rooms; and farm laborers treated as virtual slaves.

Froilan Tenorio, governor of the island commonwealth who was elected last November pledging to clean up the immigration and alien labor problems, told a Senate oversight subcommittee that the "horror stories" of hu-

man rights abuses on Rota and the other islands "are generally accurate."

"Workers have been cheated; paid less than the minimum wage, forced to live in subhuman conditions, locked in during non-work hours, and even beaten and raped," Tenorio said. "There cannot be a meaningful discussion of our labor situation without first acknowledging these problems."

Sen. J. Bennett Johnston (D-La.) warned island officials that "you will be inviting us to intervene" unless Tenorio and the island legislature clean up the immigration and labor abuses. Allen Stayman, an Interior Department official, said conditions were "unacceptable and cannot continue."

Federal authorities are considering stripping the commonwealth of its exclusive authority over immigration laws, forcing the islands to increase their prevailing minimum wage and imposing restrictions or a moratorium on immigration.

Congress has tentatively appropri-

ated \$7 million for the islands to buy state-of-the-art identification and tracking systems to monitor nonresident workers and for training investigators and law enforcement officers.

The commonwealth is a chain of formerly Japanese-ruled islands captured by the United States during World War II. Under a unique 1976 "covenant" with the United States, the commonwealth controls its immigration, rebates federal taxes and sets its minimum wage.

The islands' economy is dependent upon an unlimited supply of cheap foreign labor. While the islands' minimum wage of \$2.45 an hour is low by U.S. standards, it is high enough to attract workers from the Philippines, where jobs are scarce and the lure of earning dollars is strong.

Island officials and businessmen fear that if the federal government intervenes, forcing increases in the minimum wage and restriction on immigration, the economy might collapse.

Filipino Rapes Decried In Appeals to Clinton

Legislators Protest Worker Abuse in Islands

By William Branigin
Washington Post Foreign Service

MANILA, Dec. 17—Philippine legislators, disturbed by continuing reports of human rights and labor abuses against Filipinos employed in the Northern Mariana Islands, are demanding Washington's intervention in the U.S.-affiliated Pacific territory.

In a letter last week to President Clinton, Sen. Gloria Macapagal-Arroyo censured the government of the Commonwealth of the Northern Mariana Islands and asked for federal help in resolving "hundreds of complaints by Filipinos of rape, forced prostitution, physical and mental abuse and non-payment of salaries."

Critics here argue that the United States is responsible for the abuses taking place in a territory that flies the U.S. flag, and are trying to draw Washington's attention to the tiny islands in the Pacific.

In one documented case, a 25-year-old Filipino who was promised a job as a hotel accountant on Rota said her employer instead put her to work as a maid in a secluded ranch house, held her there against her will and repeatedly raped, sodomized and beat her over a three-week peri-

od until she managed to escape on Sept. 6.

Macapagal-Arroyo, a former Georgetown University classmate of Clinton's, urged the president and Congress to "cut off federal aid" and take control of immigration there.

Another senator, Ernesto Herrera, called for Washington to help end "wanton disregard for the welfare and protection of migrant workers" on the tiny Pacific islands, the biggest of which are Saipan, Tinian and Rota.

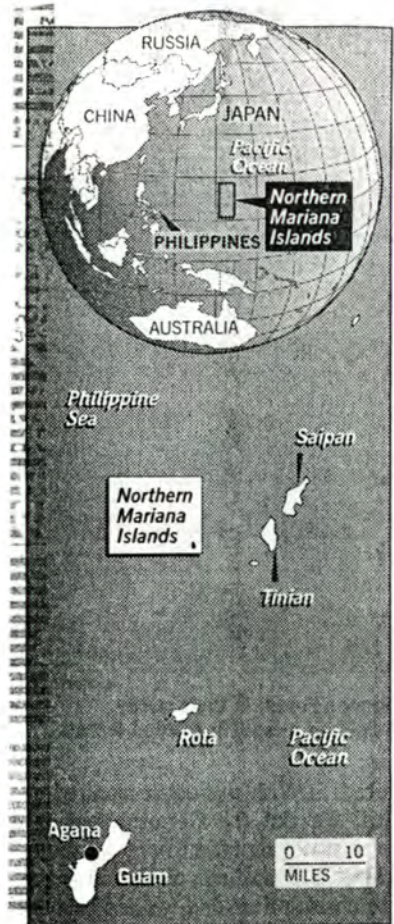
The statements followed a threat by commonwealth Gov. Froilan Tenorio to ban Philippine workers because of bad publicity over persistent reports of abuses by native employers.

Philippine and U.S. critics say that despite a lot of talk by the commonwealth recently about curbing the abuses, they appear to be continuing with impunity.

The Tenorio administration has also come under criticism over a new liaison office in Manila, which was set up in September to monitor the recruitment of Filipino contract workers for jobs in the Northern Marianas.

The liaison office was installed on the premises of, and pays \$3,000 a

See MARIANAS, A45, Col. 1



BY LARRY FOGEL—THE WASHINGTON POST

Legislators Seek Help For Filipinos

MARIANAS, From A44

month rent to, a Philippine recruitment agency owned by a friend of the governor. The agency, Paras Enterprises, sends hundreds of Filipinos to the commonwealth annually. A Philippine regulatory agency lists 15 pending complaints against Paras from workers.

Macapagal-Arroyo, who met with Clinton during a presidential visit to Manila last month, called for the closure of the liaison office, which, she said in her letter, was a "cosmetic" measure to "appease" Washington before a recent congressional vote on funding for the islands.

Tenorio reacted angrily to the letter, calling it "interference in the internal affairs" of the commonwealth. His spokesman said a cutoff of federal funds would be "counterproductive" to reform efforts.

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A SECTION

U.S. **Pacific Paradise** Is Hell For Some Foreign Workers; Filipinos Report
Beatings, Rapes, Lockups
William Branigin
Washington Post Foreign Service

For most visitors, this tiny U.S. island is an idyllic place of flowering flame trees, turquoise waters and homey cordiality where motorists routinely wave to each other. Natives like to call it "the Friendly Island."

But for many foreign workers over the last several years, a little slice of **paradise** in the **Pacific** has become an outpost of tropical hell under the American flag - a place where labor and human rights are routinely violated by islanders who are U.S. citizens.

According to U.S. officials, human rights advocates, church sources and victims of alleged abuses, the exploitation of guest workers, most of them from the Philippines, has become practically a way of life for indigenous employers on Rota, which belongs to the U.S.-affiliated Commonwealth of the Northern Mariana Islands. The commonwealth is a chain of formerly Japanese-ruled islands captured by the United States in World War II.

Waitresses have been forced into prostitution and locked up during their free time, the sources say. Housemaids have been beaten and raped. Farm laborers have been treated as virtual slaves. Construction workers have been abandoned without pay. And foreign employees of all categories have been routinely cheated of their wages.

Those who complain often have been threatened or deported. In many cases, employers have been allowed to repeat the abuses by simply bringing in replacement workers.

Among the recent victims are two Philippine women who came here to work in a restaurant but were forced to become nude dancers and prostitutes. In another case, a Philippine maid said she was kidnapped, beaten and raped by her employer and had to leave the island to get medical treatment and file a complaint. No criminal

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charges have been filed in either case.

Their stories are among dozens of cases of physical mistreatment, sexual abuse and labor violations described in interviews, human rights reports and workers' affidavits submitted to U.S. and Philippine authorities. Many other workers have been afraid to complain, residents say.

"It's a small island where everyone knows everyone else," said commonwealth Gov. Froilan Tenorio, a reformist who took office in January. "They seem to cover up allegations against one of their own."

In a review of labor complaints on Rota, a commonwealth panel "has found that in case after case, labor law and regulations were violated to the benefit of employers of alien workers," the governor's office said Aug. 16. It noted that "there were also more serious complaints ... of physical and mental abuse as well as sexual harassment and assault."

A recent report by a Roman Catholic church organization cited a "human rights crisis" on the island against a background of "racist bias" toward foreign workers and "extreme dysfunction" in the commonwealth society generally.

"Abuse is so common here that it appears that it has become a normal and accepted practice," American schoolteacher Wendy Doromal wrote in an independent report. "Few, if any, abusers are ever punished ... and so the abuse continues to grow and grow and grow."

For trying to help workers caught in conditions that she said sometimes amount to slavery, Doromal, her Philippine husband and their family have become targets of death threats, vandalism and vilification. Fearing for their safety, they have decided to leave Rota after eight years here.

Rota's top local official, Mayor Joseph Inos, called the criticism "overblown." Rapes are "bound to happen in any society," he said, and forced prostitution "is not rampant on Rota; it happens everywhere."

Labor and human rights violations have been reported on other islands in the Northern Marianas, notably Saipan and Tinian, but church and social workers say they are particularly acute on Rota. Although most U.S. laws apply in the commonwealth, Rota seems to have slipped largely through the cracks of the federal justice system, whose laws often are not enforced here.

In attempting to pursue some abuse complaints on the islands, federal authorities have regularly encountered challenges to their
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jurisdiction, hostility from tight-knit local communities and witnesses too intimidated to testify. "It's like trying to do a civil rights action in the old Deep South," said Mikel Schwab, an assistant U.S. attorney on neighboring Guam.

"Congress has got to send a very clear message that this kind of behavior cannot be tolerated," said Rep. George Miller (D-Calif.). He favors cutting the commonwealth's current annual federal grant of \$28 million. Rep. Elton Gallegly (R-Calif.) wants U.S. immigration laws applied to curb the importation of "slave labor."

Under a unique 1976 "covenant" with the United States, the commonwealth controls its own immigration, rebates federal taxes and sets its own minimum wage.

The current minimum wage of \$2.45 an hour is low by U.S. standards but high enough to attract workers from the Philippines, where jobs are scarce, salaries are paltry and the lure of earning dollars is strong. Often, however, employers pay less than that and impose various illegal deductions. And the minimum wage does not apply to maids and farm workers, who often are paid less than 50 cents an hour.

Philippine workers usually arrive on Rota with tourist visas and large debts to recruiters back home. Once here, they often feel stuck. Their passports are held by their employers, who typically impose large illegal penalties if they quit their jobs.

Their vulnerability has facilitated sexual abuse of migrant women on Rota, which human rights investigators say is perhaps the most alarming aspect of a broader problem of labor exploitation throughout the islands that also affects men. Most victims are Filipinos, who make up the bulk of the commonwealth's 27,000-strong alien labor force, but other exploited contract workers have come from China and elsewhere in Asia.

U.S. officials say the abuses reflect a pattern of discrimination by native islanders, who belong mostly to the Chamorro ethnic group. More than 65 percent of employed Chamorros hold government jobs, and Asians have been brought in to do the dirty work and heavy lifting. Most Chamorros - including people on welfare - now have Philippine maids in their homes, residents say.

The influx of Asian workers has made the natives a minority on their own islands and created a vast, politically powerless underclass. Of the commonwealth's population of nearly 63,000, indigenous residents now compose less than 37 percent. Contract workers, "statesiders" and others make up the rest.

In the Northern Marianas, "indigenous rights" promoted by
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Washington have come to mean "the exploitation of Asian minorities," Schwab said. "It's American policy gone bad. Good intentions got flipped around."

In its first attempt to address the problems, the U.S. Justice Department's Civil Rights Division has filed a class-action suit against the commonwealth, charging discrimination in its public school system. Besides salary and benefit disparities, the suit cites a "pervasive attitude of disrespect" in which Philippine teachers have been racially insulted by students, ordered by cafeteria workers to wipe tables and mop floors, and forced by administrators to mow lawns after school.

Housemaids have suffered far worse treatment. In a case documented by the church, a Philippine maid known as Nell was raped by a police captain and became pregnant. After flying home and living in the jungle so her neighbors would not find out, she bore a baby boy and gave him to a married sister. But the child had a heart defect that required a \$2,000 operation. So Nell returned to Saipan to earn the money, only to be raped by her new employer. After giving birth to a girl, she was hospitalized for depression and now faces a deportation order.

On Rota, where the total population of about 3,000 is divided roughly evenly between native Chamorros and Philippine contract workers, abuses have thrived amid what human rights advocates describe as a "corrupt" regulatory system and close family or political ties between employers and local authorities. In several cases, police and government officials have been implicated in abuses.

Since 1991, more than 30 Philippine women have complained to local authorities of forced prostitution on Rota, and others have alleged abuses ranging from assault to rape. Most were subsequently deported. So far, no Rotanese has been convicted of such an offense against a foreign worker.

Gov. Tenorio recently suspended Rota's director of commerce and labor from his duties in implementing labor regulations after a maid in his own household complained of mistreatment. The governor has also declared that families on welfare will no longer be allowed to hire alien workers.

Despite such moves, however, residents of Rota say little has changed. Standard contracts call for housemaids to work 12 hours a day, six days a week for \$200 a month. But many say employers demand even longer hours for less pay or have withheld their salaries, illegally confined them or forced them to perform other jobs, including farm work.

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"There is slavery on Rota," Doromal charged in a 26-page human rights report. "Many of the victims who have sought our help were working seven days a week, over 12 hours a day, were not permitted to leave the employer's house or barracks and were not being paid. Is this not slavery?"

One housemaid, Brigida Leal, said in an affidavit that when she asked for Sundays off so she could attend church, her employer threw her Bible and clothes in the road and kicked her out of the house. She said she had been working at least 17 hours a day with no days off for about 29 cents an hour and had not been paid in four months. Another housemaid said she was not paid for three years.

Many workers have been afraid to press charges, especially if their alleged abusers were government officials. In February, for example, a Philippine waitress, Rosalie Tirasol, complained in writing to her consulate that Inos had sexually molested her. She left the island shortly thereafter. Inos denies the charge.

Last year, another waitress went back to the Philippines after she was raped by a Rota police officer and several of his friends. "She was too afraid to go to the police because the man who raped her was a policeman," said a Filipino who helped her.

A missionary said a waitress in his congregation was locked in a shipping container by her employer when she refused to become a "take-out girl," as prostitutes are called in local parlance.

"Women who have refused to be prostitutes have been beaten, threatened, raped, locked in their barracks and sent home before their contracts ended," Doromal's report says. "It is no secret that prostitution on Rota exists. It is no secret that most of it is forced prostitution."

Residents say about 80 Philippine women are currently working in a half-dozen establishments that engage in prostitution here, a high proportion on an island with only about 1,500 indigenous people. They say the women are hired almost exclusively by local Rotanese or their visiting friends.

"Individuals have gone back to the Philippines economically and psychologically destroyed," said Phil Kaplan, a human rights advocate for the Roman Catholic Church. "A lot of abuse, especially sexual, is happening because [the abusers] can get away with it."

ABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

PHOTO, Wendy Doromal For Twp; Map, Larry Fogel

CAPTION: Housemaid Brigida Leal says she was not paid for four months and her employer threw her out when she asked for Sundays off

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NMI no place for unions-- Tenorio

Governor suspects labor unions behind Miller campaign

By Zaldy Dandan
Variety News Staff

GOVERNOR Froilan C. Tenorio said Wednesday that labor unions may be behind U.S. Rep. George Miller's bill that would prohibit products from the CNMI to use "Made in USA" labels.

Tenorio said he doubts if Miller's (D-California) bill would be passed by the Republican-dominated Congress. "or at least I hope not," but added that it is still unclear whether the bill is a "brain-child" of Miller's "or the labor unions" are the ones forcing this thing on us."

Miller represents a working-class district, and is known to be a staunch advocate of workers'



Froilan C. Tenorio

rights.

"The CNMI is no place for labor unions," Tenorio said.

"It's no good. We need a free

market in order for our economy to survive."

Saying the time has come to end the wage and immigration abuses in the CNMI "that should embarrass all Americans," Miller is urging members of Congress to co-sponsor his bill, which would also "phase in" the federal minimum wage in the CNMI, and federalize the CNMI's "scandalous immigration program without jeopardizing the Immigration and Naturalization Service's activities elsewhere."

However, House Majority Whip Tom DeLay (R-Texas) in a recent privilege speech defended Tenorio's free market policies.

Continued on page 44

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NMI . . .

Continued from page 1

and warned that imposing the federal minimum wage on the CNMI would only destroy its economy.

As majority whip, DeLay is the third-highest ranking member of the House Republican leadership.

Miller, on the other hand, is the senior Democrat on the House Resources Committee, which he chaired from 1991 to 1995.

Miller is the CNMI's most vocal critic in Congress, and has repeatedly urged for the federalization of the Commonwealth's minimum wage rate and immigration.



Dedicated to the
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Vol. 7 No. 284

Buenas Marianas, IT'S MONDAY, MAY 5, 1997

Tenorio blocks July 1st wage increase

By FLOR B. PAMINTUAN

Governor Froilan C. Tenorio announced last Friday that he will introduce legislation to block the scheduled July 1st wage increase for the garment and construction industries as provided for in Public Law 10-13.

Citing the recent Hay Group report on the study of the CNMI's minimum wage, Tenorio said that his legislation will repeal the provision that calls for another 15-cent increase this July.

"The Hay Group found out that we cannot afford to increase the minimum wage by any amount for the next three years. The legislation that I will submit will repeal that part," said in an interview. Public Law 10-13 provides

for a 30-cent increase in the minimum wage beginning July 1, 1996.

The law allows the garment and construction industries to pay the additional wages in two stages: 15 cents last year and the other 15 cents this year.

Tenorio's legislation, which he hopes will get the Legislature's nod would keep for the two industries wages at \$2.90 per hour.

His announcement came a week after the Hay Group presented the final report to both private and public sectors affected by the wage increase.

The report noted that continuing increases in the minimum wage will put more financial pressure on the CNMI garment firms than on other industries in the CNMI.

The Hay Group analysis indicated that the apparel

industry will phase out the CNMI operations by the year 2005 if minimum wage increase continues.

Their model also predicts that the hotel industry will experience a 16 percent decline by the year 2002 while the construction industry will suffer a decline of 85 percent.

Increase in the minimum wage will also lead to inflation in construction dependent markets like commercial and residential construction.

"This not only makes houses more expensive for residents, but increases the startup and

locational costs of businesses desiring to build hotels and other tourist-related facilities," the report said.

"With higher startup costs, businesses will be more reluctant to choose the CNMI as a location, and local start-up businesses will find it more difficult as well," it added.

In summary, the report has demonstrated the following potentially adverse effects by raising the minimum wage:

- increase employers' cost of labor well above \$6.25 per hour, given the additional cash-

value benefits provided to guest workers

- increase the incentive for labor law violations and circumvention agreed between employer and employee

- substantially reduce private sector recovery and revenues, public sector revenues, income per capita, gross domestic product

- increase inflation
- reduce international competitiveness of CNMI enterprises

- reduce the attractiveness of the CNMI as a profitable investment opportunity

Consequently, increasing the minimum wage does not appear to constitute an

appropriate policy for the CNMI at this time, and for the next several years.

The group, instead, recommends:

- no change to the minimum wage for at least the next three years

- development of plan to accommodate economic growth

- selection of specific goals for the next 3, 5, 10 years which include economic support for new industry that leads to diversity, long-term growth and development. Increase meaningful opportunities for residents, support for selected (targeted) industries, development of infrastructure, recovery of the full cost of utilities and foster savings and

entrepreneurial activities among the resident population to encourage local participation in private sector economic development

- appropriate government policies include provision of tax incentives, attractive leases to investors willing to invest in desirable, specifically-targeted industry categories; provide job training and education to local workers to meet requirements of industry in the CNMI and disciplined infrastructure planning and full cost-recovery pricing for electricity, water and sewer utilities; fuel taxes dedicated to road maintenance and construction; development fees dedicated to offset the impact of new commercial and residential construction.



June 1997

Articles of lasting interest

SPECIAL REPORT

SHAME **on American Soil**

Old Glory flies over this sprinkling of
Pacific islands. But beneath our flag
appalling abuses are flourishing

BY HENRY HURT



WENDY DOROMAL was asleep in her home on the island of Rota when the telephone rang at 5:30 a.m. A housekeeper named Thelma Landeza, the caller said, had been raped by her employer, a politically well-connected businessman. Afraid to go to the local authorities, Landeza had walked for hours to the refuge of an underground network on Rota.

Doromal, then 40, quickly dressed and set out to help. Such missions were in stark contrast to what the art teacher from Vernon, Conn., expected when she first came to the U.S.-owned Northern Mariana Islands, a scattering of volcanic specks in the western Pacific Ocean.

Doromal and her family loved Rota's sandy beaches and clear, blue ocean. But drastic changes were taking place in this paradise—changes that have deeply stained America's reputation as the champion of human rights all over the world.

Lured by fee-driven recruiters, thousands of poor Asian "guest workers" were pouring into the Northern Marianas. Virtually every native household had at least one Filipino maid.

Doromal soon discovered serious cases of workers being cheated out of wages and physically abused. The transgressors were the native population—an elite minority who maintained effective control of every government function. Although the newcomers outnumbered the natives, they had no voice or vote. And so Wendy Doromal, less than five feet tall but forceful and articulate, gradually became their advocate.

No Charges. "When I saw Thelma that morning," Doromal recalls, "the fear shot from her face into my heart. She'd been beaten and she was crying and trembling."

Landeza's tale was harrowing. At 38 and widowed, the small, sweet-faced woman had sought work in



the Northern Marianas to send money to her five children in the Philippines. "It was supposed to be like going to America," she says.

But that's not the way it turned out for Landeza or thousands of other men and women like her. From 1990 to 1993, she says, she was paid the domestic wage of 69 cents an hour for 12-hour days; she also was "rented out" to another party for an additional six hours a day, for which she never saw a cent. Landeza was supposed to have Sundays off but says she did not.

Like many other workers, Landeza was afraid to complain to local labor officials. She says her boss, Rafael Quitugua, flaunted his connections with those very people. She couldn't risk being returned jobless to the Philippines.

Then, according to Landeza, on the night of October 16, 1993, Quitugua ordered her to clean up a bar he owned. Driving her back home, the man reached for Landeza and said, "I like you very much." He veered down a path toward an isolated beach.

"I screamed and fought him and begged him to take me home," she says. "But he beat me and finally raped me. He said, 'If you ever tell what happened, I'll kill you.'"

Doromal didn't want this to become another unprosecuted case because of "insufficient evidence." So she and Landeza took the first morning flight to the island of Saipan, the Northern Marianas' seat of government. There, Dr. David McGarey of the Commonwealth Health Center noted

abrasions on Landeza's body. He diagnosed "apparent rape" and collected specimens for a rape evidence kit that he turned over to authorities.

Doromal also summoned Renato Villapando, principal officer of the Philippine consulate. To assure immediate attention, he wrote a detailed account of Thelma's story that he sent to the attorney general of the Northern Marianas.

Weeks passed, however, and then months. No charges were brought. Quitugua, meanwhile, maintained his innocence.

Privileged Minority. American interest in the Northern Marianas was born in the blood of 5289 American soldiers who died there in 1944 wresting the islands from the Japanese. The territories languished for decades until 1976 when the U.S. Congress created the Commonwealth of the Northern Mariana Islands (CNMI). A decade later its residents became American



Thelma Landeza
"It was supposed to be like
going to America."

SHAME ON AMERICAN SOIL

citizens. Under the agreement, Congress allowed CNMI to set its own immigration policies, and the U.S. minimum wage would not apply to its workers.

The result was rapid economic growth, as entrepreneurs flocked to Saipan to open factories and develop tourism. The most common products were garments carrying the coveted "Made in U.S.A." label that entered the U.S. mainland duty-free. From all over Asia, especially the Philippines, destitute workers arrived to work in these factories and in the islands' booming hotels, restaurants and bars.

Their wages, though higher than in their native countries, were quite low—and remain so today. The biggest winners are the natives. The law grants a legal monopoly of all land in the Northern Marianas to these Pacific islanders, who can lease their property to factory and hotel operators at handsome prices.



Wendy Doromal
Forced, with her family, to flee
the island

Today only about 38 percent of the CNMI population of 59,000 is of native descent. "They are an exclusive minority with the power to dominate and exploit others," says Mikel W. Schwab, assistant U.S. Attorney and chief of the civil division that oversees the CNMI. "What's missing is equal protection under the law."

The case of Thelma Landeza was one of more than 500 complaints that reached Doromal starting in 1989. As an underground network of sympathizers grew up around her, Doromal accumulated hundreds of pages of statements—all of which she readily shared with any official agency she could persuade to listen. While more than half the cases involved wage disputes, others included workers tortured, forced into prostitution and held in sexual servitude.

"In my own experience as a civil prosecutor," says Schwab, "I have witnessed a level of human exploitation that makes Doromal's cases ring with credibility." But his civil division had no primary authority to investigate or prosecute rapes and assaults that occurred in jurisdictions under the control of the CNMI attorney general's office.

Doromal and her husband, Boboy, provided food and shelter for workers and helped them file complaints. Most important, they stood beside them in the face of predictable wrath from their employers and government officials.

In one case Rota's mayor, Joseph S. Inos, was accused of forcing a waitress to perform oral sex. She

fled to Doromal, saying she was afraid to tell the police, who worked for the mayor. She was hiding there the next day when Inos showed up at 6 a.m. looking for her. No charges were ever brought. Mayor Inos denies that he was "involved in any improprieties" with the waitress.

In another incident, CNMI's soon-

tires of the family car were slashed. Her family was ostracized, and this pressure forced Doromal to resign from her teaching position.

On August 29, 1994, the Doromals fled to Saipan. There CNMI Governor Froilan C. Tenorio met with Doromal and assured her that the worst labor abusers would be prosecuted.

A few weeks later, in September, Governor Tenorio sat before a U.S. Senate subcommittee in Washington, D.C. With great humility he conceded that many of the charges reported in the press—which were first raised by Doromal—were accurate: "I am saddened and ashamed.

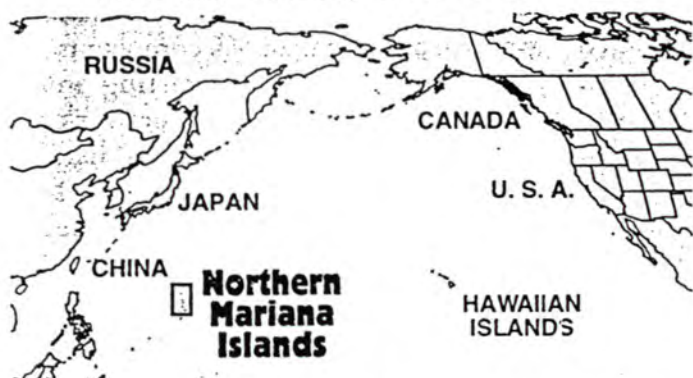
Workers have been cheated and forced to live in subhuman conditions, locked in during nonwork hours, and been beaten and raped. Our administration will do everything in our power to end labor abuse."

Blaming the Victim. A few days after meeting with Tenorio, Doromal received a call from Rota's underground network. A hysterical young woman named Teresa* was claiming that for several weeks she had been locked up by her employer and repeatedly raped.

Doromal arranged for Teresa to be brought to a Saipan hospital. "She kept going into corners and rocking back and forth, crying," Doromal says.

Teresa, 24, was an animated woman who had studied hotel and restaurant management in the Philippines.

*Name has been changed to protect privacy.



to-be-named director of commerce and labor, Pedro Dela Cruz, wrote the owner of a nightclub: "I must say that with all the dancers/strippers in Rota, your two girls are superb. They are sexually seducing." When asked about the note, Dela Cruz replied, "What was wrong with it?"

Hollow Promises. As Doromal continued her fearless campaign, CNMI authorities sought to discredit her. She was accused of everything from fabricating stories to harboring illegal workers. By the summer of 1994, however, her files had become the basis for a government task-force investigation that confirmed a number of her charges.

Growing publicity about worker abuses set off local rage against Doromal and her family. Anonymous phone calls threatened death. The

SHAME ON AMERICAN SOIL

But employment there was scarce. A job on Rota with an establishment described by the recruiter as an "upscale restaurant" seemed the surest route to good money. The establishment, however, was little more than a brothel.

In desperation Teresa accepted the friendly overtures of a politically well-connected man who got her out of the club. Teresa says she went to work for him—only to be locked in a remote farmhouse where she was tied up, beaten and raped daily until she escaped after three weeks.

A Saipan doctor found her rectum lacerated and her vagina showing signs of repeated intercourse. He also noted human bite marks on her body. He concluded, "The findings are all consistent with forced intercourse."

Under the glare of publicity stirred up by Doromal, the CNMI attorney general's office investigated Teresa's case. Four months later it concluded that the evidence was insufficient to go to trial. The case was dropped.

Cheryl Gill, former chief of the attorney general's criminal division, described an intensive investigation of Teresa. In the end, Gill said, it appeared that the victim had been intimate with her boss before she began working for him. "The medical findings are of very little value," Gill explained.

"Something is all wrong when they investigate the *victim*," Doromal says. "I wish they'd spent their time looking into the *attacker*."

Two weeks after Teresa's case was dropped, Governor Tenorio was back in Washington to inform Congress that

his administration was making substantial progress in cleaning up human-rights violations. Employers who abuse contract workers, he said, "are being investigated, prosecuted and convicted."

To Doromal, such words meant that nothing had changed. But with no regular job, her family couldn't stay in the Northern Marianas; they returned to the U.S. mainland in May 1995.

"We'll Give You a Plane Ticket."

In December 1995, almost a year after Tenorio last told Congress he was cleaning up human-rights violations, Maria,* a tiny Filipino woman with a childlike face, stood frozen on the stage of a Rota nightclub, tears in her eyes. It was Maria's first night of work, and she had been promised she would never be asked to dance nude. But now, amid catcalls, her boss was demanding that she strip.

He threatened her until she gave in. But that wasn't enough; soon he demanded that she have sex with him and "go out with customers." Maria refused. She was forced from her job and returned to the Philippines, where she told her story to *Reader's Digest*.

Despite such reports, CNMI Acting Attorney General Robert B. Dunlap II claims conditions are much improved. "We have doubled our efforts," he says. "We have set up an office and a hot line so nonresident workers with complaints can get in touch with us." Dunlap scoffed at the idea that forced prostitution has been prevalent on Rota. "We sent two investigators to Rota," he says. "They stayed

*Name has been changed to protect privacy.

a week trying to attract a prostitute—and never found one."

Tenorio, up for re-election in November, maintains he is doing all he can to make a good situation for contract workers even better. Meanwhile, he is conducting a million-dollar public-relations campaign to shore up the CNMI's image, bringing dozens of Congressmen and staffers to tour the Northern Marianas.

"The thinking is 'Don't fix the problem, fix the image,'" says Eric Grégoire, a New Jersey native who is the human-rights advocate for the Catholic Church in the Northern Marianas. He is still summoned to Rota regularly by Wendy Doromal's original underground network.

As recently as last summer Jesus Varela, labor representative at the Philippine consulate in Saipan, took declarations from four young women who had fled Rota, claiming their boss at the Red Rose nightclub had sexually harassed them and cheated them out of wages.

In interviews the four women stated that they had first complained to the CNMI labor representative on Rota. His response: "Either go back to the Red Rose or get the hell back to the Philippines." The

CNMI government denies its labor representative said this.

When the women were finally given a hearing earlier this year, the CNMI scheduled the proceeding in Mayor Inos's office. Inos's son, Perry, was the attorney for the owner of the Red Rose, Juan Hattori. The women protested, and the CNMI government moved the hearing to a more neutral location—the office of the governor's representative on Rota.

In a tape recording of the hearing, given to Reader's Digest, attorney Inos is heard telling the women, "We'll give you a plane ticket. You can go back to the Philippines tonight. We'll give you \$100 pocket money." Hattori has denied the women's charges. Nonetheless he has reached an undisclosed settlement with them.

Meanwhile, reports of abuses are not confined to Rota:

- A 14-year-old Filipino girl was forced to dance nude in a Saipan nightclub, according to an "oppressive child labor" complaint filed by the U.S. Department of Labor. She testified that she also had to engage in oral sex with customers on stage before a video camera. The club owners say the complaint is



Eric Grégoire
"The thinking is...
fix the image."

unfounded. One of the club's managers worked by day for the CNMI government. The CNMI did not bring charges.

• A top CNMI immigration official, Isidro Cabrera, is charged with raping a Chinese contract worker in his custody at the Saipan airport. Earlier as a police officer, he was also

charged with raping a woman. That charge was dismissed; the current case is pending. He pleaded not guilty.

Case Closed. What of Thelma Landeza? In February 1995—more than 16 months after she reported being kidnapped, raped and beaten—her boss, Rafael Quitugua, was charged with the crime. He pleaded not guilty. In December 1995 the charge was dropped.

Attorney General Dunlap claims that there is evidence contradicting Landeza's account, including an unnamed witness. He declined repeated requests by Reader's Digest to provide corroboration. In an interview last fall, Dunlap and two prosecutors did assert that the victim did not promptly report the case and the doctor who examined her, David McGarey, had left the island.

But the fact is, the matter had been reported promptly to authorities. What's more, McGarey, who



Robert Dunlap II
His investigators found
no prostitutes.

is now practicing in Virginia, says, "I remained in Saipan for ten months. No one ever contacted me."

Attorney General Dunlap revealed to Reader's Digest that the rape evidence kit in Landeza's case was never sent to the lab for testing. Prosecutor Gabriel

Acosta nonetheless moved to dismiss the charge because of insufficient evidence.

Several miles from garish downtown Saipan, this reporter sat with Landeza, who still keeps with her a small packet. "These people told me they would help me," she said. One by one, she peeled off business cards, mainly of people in the CNMI government. Her face filled with sorrow, she fingered the cards soiled with sweat and false hope.

Responsibility for such human-rights abuses lies ultimately with the U.S. Congress, which oversees CNMI wage and immigration policies. Legislation addressing these issues is now being considered.

Today Wendy Doromal teaches in Florida and keeps in touch with issues in the Northern Marianas. "America is supposed to be the flagship of human rights all over the world," she says. "It's intolerable that we're allowing these abuses to flourish under our flag." ❖❖❖

DRAFT
URGENT

May 20, 1997

Dear George:

Thank you for the work that you have done to correct the serious problems with the labor system in the Northern Mariana Islands. Your efforts represent a significant service to many of those living and working in the Commonwealth.

Enclosed is a copy of a letter that I have sent to Governor Tenorio on this matter. Please know that I look forward to working with you and other Members of Congress to enact legislation that will eliminate these alarming conditions.

Sincerely,

The Honorable George Miller
House of Representatives
Washington, D.C. 20515

5/20

Todd,

Per our discussion.

Approved by:

Susan B.

Jeff Farrow

Marie E.

Marie Hale

5/21/97

Todd,

Attached is the letter to accompany a copy of the Gov. Tenorio letter that is being vetted. Let me know if you want to make any changes.

Chris

cc

'97 MAY 21 AM 9:42

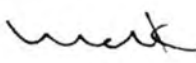
NEC

THE WHITE HOUSE

WASHINGTON

May 21, 1997

TO: GENE SPERLING

FROM: MARK MAZUR 

SUBJECT: NORTHERN MARIANAS AND MINIMUM WAGE EXTENSION

Several people in the Administration (Jeff Farrow, Lucia Wyman, and Maria Echaveste) have drafted a letter for the President to send to the Governor of the Northern Mariana Islands (attached). The gist of the letter is an announcement of the Administration's intent to work with Congress to extend Federal immigration, naturalization, and minimum wage laws to the Northern Mariana Islands (a U.S. territory in the Pacific Ocean).

Background. The U.S. has administered the Northern Mariana Islands under a U.N. trusteeship since 1947. In 1976, the Northern Marianas entered into a political union with the United States through a covenant (the 1976 Covenant) and became a commonwealth with citizens of the Northern Mariana Islands being U.S. citizens. As a result of this Covenant, in 1978, the Northern Marianas became self-governing. The 1976 Covenant did not extend all U.S. immigration, naturalization, and minimum wage laws to the Northern Marianas, but provided that these laws could be extended in the future.

The United States has gradually extended these laws to cover other commonwealths and/or territories. Puerto Rico, Guam, and the Virgin Islands all are subject to U.S. immigration, naturalization, and minimum wage laws (though the minimum wage was phased in over time and for Puerto Rico will be fully phased in by July 1997). American Samoa has a separate minimum wage schedule established by a Federally-administered wage board and is not subject to the U.S. immigration and naturalization laws (because residents of American Samoa are not American citizens but rather are American nationals).

Discussion. The minimum wage in the Northern Marianas is \$2.90 per hour, far below the national minimum wage (\$4.75 per hour). A scheduled increase of \$0.15 cents per hour has been rescinded by the Governor. The low minimum wage has allowed a garment industry and some other industries to thrive in the Northern Marianas. However, most of the low-paid production workers in this industry are not U.S. citizens residing in the Northern Marianas, but rather Asian-born workers temporarily (up to 4 years) in the Islands. The debate over the minimum wage in the Northern Marianas has been long-standing, with strong passions on both sides. However, the fact that the closest neighbor to the Northern Marianas (Guam) pays the Federal minimum wage and has a strong economy seems to indicate that the costs cited by opponents of a higher minimum wage are overstated.

Organized labor is strongly in favor of establishing the Federal minimum wage in the Northern Marianas. They point to the fact that garments made in the Islands can be labeled as "Made in the U.S.A." while workers are paid about 60 percent of the U.S. minimum wage. The Department of the Interior is also in favor of extending the minimum wage (and other) laws to the Northern Marianas over a period of time. The Justice Department concurs.

Recommendation. The NEC should advise the President to send a letter informing the Governor of the Administration's intent to propose extending the immigration, naturalization, and minimum wage laws to the Northern Mariana Islands. It might be helpful to have the letter emphasize that these laws would be phased-in over time, in accordance with a schedule developed in consultation with the Northern Marianas government.

Please let me know if you want to discuss this issue further.

cc: KW, RH

THE WHITE HOUSE
WASHINGTON

May 20, 1997

MEMORANDUM TO THE PRESIDENT

CC: SYLVIA MATHEWS KITTY HIGGINS
MARCIA HALE KATHY WALLMAN
JOHN HILLEY ELENA KAGEN
CHARLES RUFF

FROM: JEFFREY FARROW^{JP}
LUCIA WYMAN
MARIA ECHAVESTE

SUBJECT: NORTHERN MARIANAS LABOR LAW PROPOSAL LETTERS

This is to recommend that you sign the attached two letters supporting extension of Federal immigration, naturalization, and minimum wage laws to the Commonwealth of the Northern Mariana Islands in an appropriate manner. We join the Interior Department in recommending this policy, which has also been agreed to by the Justice and Labor Departments.

- The first letter would notify the islands' Governor and Representative to the Federal Government as well as the bipartisan leaders of the lead Congressional committees on insular affairs of this position.
- The second would compliment House Resources Committee Ranking Democrat George Miller for his work on the issue. Miller (with 43 other Members) has sponsored a bill that would extend the laws -- but do so more abruptly than the agencies recommend.

Further Background

The 1975-6 agreement by which the Northern Mariana Islands became U.S. territory did not immediately apply Federal immigration, naturalization, and minimum wage laws because islanders were concerned that 1) they could be overwhelmed by Asians who would want to be on U.S. soil but remain close to their homelands and 2) the U.S. minimum wage would strangle their economy. The agreement also, however, specified that these laws could be extended later.

The Commonwealth has developed a labor system which:

- relies upon temporary alien workers to perform the vast majority of its permanent jobs;

- includes a low minimum wage that is far below the prevailing wage;
- has resulted in temporary workers becoming a majority of the islands' 60,000 population;
- houses most of these workers in segregated facilities;
- allows employers and foreign labor suppliers to require some workers to agree not to marry, unionize or express political views;
- has resulted in widespread and persistent financial and personal abuse of workers;
- inadequately enforces violations of the rights that the alien workers do have;
- has resulted in a 14% jobless rate among local residents;
- uses alien workers to produce \$500 million a year (wholesale value) in garments labeled "Made in the USA", unfairly competing with production elsewhere under the U.S. flag;
- enables foreign criminals to enter U.S. soil; and
- has attracted national media attention and prompted Congressional complaints.

Federal officials have urged insular officials to change the system for at least 12 years but they have done the opposite. They recently 1) agreed to admit 6,000 more garment workers and 2) proposed canceling a 15 cent increase in the \$2.90 minimum wage.

The Interior, Labor, and Justice Departments initiated a program to assist the insular government in addressing problems with the system a few years ago, but it has not been as successful as hoped.

An annual report to be completed soon will recommend the measures referenced in the letters.

National attention will be heightened by a Reader's Digest article being placed on newsstands today, a copy of which is attached, along with other clippings on the issue.

Finally, you should be aware that Governor Tenorio and most local officials oppose extension of Federal immigration and wage laws as does House Majority Whip DeLay.

May 20, 1997

The Honorable Froilan C. Tenorio
Governor of the Northern Mariana Islands
Saipan, MP 96950

Dear Froilan:

As you know, the 1976 Covenant that established the political union between the Northern Mariana Islands and the United States did not immediately extend all of our Nation's immigration, naturalization, and minimum wage laws to the Commonwealth. The Covenant provided, however, that these laws would be extended at a later time.

I am writing now out of concern ^{to fill} about certain labor practices in the islands that are inconsistent with our country's values. More than half of the people in the islands are temporary alien workers; these workers, who comprise an overwhelming majority of the islands' work force, are imported ~~for~~ permanent jobs, while the jobless rate among residents remains high; the minimum wage is plainly inadequate; there have been persistent incidences of improper treatment of alien workers and inadequate enforcement of their rights; and manufacturers using foreign workers unfairly compete with other production under the U.S. flag.

Federal officials have, for many years, strongly encouraged Commonwealth officials to rectify these problems and have provided substantial assistance for doing so, but the problems persist and, in some cases, are getting worse. I have, therefore, concluded that federal immigration, naturalization, and minimum wage laws should now be applied to the Commonwealth, as provided by the Covenant.

My Administration will work with the Congress to extend these laws in a reasonable and appropriate manner. We will, of course, consult with you and other representatives of the Commonwealth about how these laws should be applied.

I am dedicated, as I am sure you are, to protecting the rights and well-being of all who work and live in the Islands as well as to fulfilling our mutual Covenant responsibilities.

Sincerely,

BC/JAD/efr-ws (Corres. #3518947)
(5.tenorio.fc)

Xeroxed copy of personally signed original to NH through Todd Stern

CLEAR THRU TODD STERN

PRESIDENT TO SIGN

DRAFT

URGENT

May 20, 1997

Dear George:

Thank you for the work that you have done to correct the serious problems with the labor system in the Northern Mariana Islands. Your efforts represent a significant service to many of those living and working in the Commonwealth.

Enclosed is a copy of a letter that I have sent to Governor Tenorio on this matter. Please know that I look forward to working with you and other Members of Congress to enact legislation that will eliminate these alarming conditions.

Sincerely,

The Honorable George Miller
House of Representatives
Washington, D.C. 20515

5/20

Todd,

Per our discussion.

Approved by:

Susan B.

Jeff Farrow

Marie E.

Marcie Hale

THE WHITE HOUSE
WASHINGTON

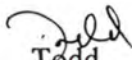
May 20, 1997

Marcia and Jeff --

I think the attached draft letter needs some work. Mostly it is too vague and elliptical. For example, when you say, "The labor situation that has developed...has become of great concern to me," or, "Aspects of this situation are inconsistent with our country's values," or "The Federal efforts to date to address the problems inherent in the current system have not succeeded in overcoming them," I truly don't understand what we're talking about. The letter needs to be more straightforward and clear.

I would recommend having it redrafted and preparing a short cover memo to the President explaining to him what this is all about.

One last point -- can we avoid referring to the Northern Mariana Islands as the newest member of the U.S. *political* family. Let's find another way to say this. Call me if you have any questions.


Todd

cc: Lucia Wyman

'97 MAY 19 PM 7:05

May 19, 1997

Memorandum for Sylvia Mathews

Cc: Phil Kaplan ✓
Jim Dorskind

From: Marcia Hale
Jeffrey Farrow
Lucia Wyman

Subject: Northern Marianas Letters

The attached draft letter to the Commonwealth of the Northern Mariana Islands Representative to the Federal Government -- regarding inclusion of the islands in national immigration and minimum wage laws to overcome the serious problems with the labor situation there -- is a rewrite of an Interior Department draft to which Interior has agreed.

The Attorney General and the Labor Department have also approved it. (A copy was, additionally, sent to OMB.)

If it is finally signed-off on by you, we can have Correspondence send it in the morning.

Thanks.

The Honorable Juan Babauta
Resident Representative of
the Northern Mariana Islands
2121 R Street, N.W.
Washington, D.C. 20008

Dear John:

As you know, the Covenant that established the political union between the Northern Mariana Islands and the United States did not immediately extend all national immigration and naturalization and minimum wage laws to the Commonwealth.

The labor situation that has developed in the newest member of the U.S. political family in more recent years has become of great concern to me. Aspects of this situation are inconsistent with our country's values.

The Federal efforts to date to address the problems inherent in the current system have not succeeded in overcoming them. It is, therefore, time to include the islands in our national immigration and naturalization and minimum wage laws, as provided for by the Covenant.

My Administration will work with the Congress to extend Federal ~~administration~~^{laws} in a reasonable and appropriate manner and will consult with you and other officials of the Commonwealth in the process.

I am dedicated to protecting the rights and well-being of all who work and live in the islands as well as to fulfilling our Covenant responsibilities.

Sincerely,

cc: Chairman Don Young
Ranking Democrat George Miller
Chairman Frank Murkowski
Ranking Democrat Dale Bumpers
Governor Froilan Cruz Tenorio

Reader's
Digest

75
YEARS

June 1997

Articles of lasting interest

SPECIAL REPORT

SHAME **on American Soil**

Old Glory flies over this sprinkling of
Pacific islands. But beneath our flag
appalling abuses are flourishing

BY HENRY HURT



WENDY DOROMAL was asleep in her home on the island of Rota when the telephone rang at 5:30 a.m. A housekeeper named Thelma Landeza, the caller said, had been raped by her employer, a politically well-connected businessman. Afraid to go to the local authorities, Landeza had walked for hours to the refuge of an underground network on Rota.

Doromal, then 40, quickly dressed and set out to help. Such missions were in stark contrast to what the art teacher from Vernon, Conn., expected when she first came to the U.S.-owned Northern Mariana Islands, a scattering of volcanic specks in the western Pacific Ocean.

Doromal and her family loved Rota's sandy beaches and clear, blue ocean. But drastic changes were taking place in this paradise—changes that have deeply stained America's reputation as the champion of human rights all over the world.

Lured by fee-driven recruiters, thousands of poor Asian "guest workers" were pouring into the Northern Marianas. Virtually every native household had at least one Filipino maid.

Doromal soon discovered serious cases of workers being cheated out of wages and physically abused. The transgressors were the native population—an elite minority who maintained effective control of every government function. Although the newcomers outnumbered the natives, they had no voice or vote. And so Wendy Doromal, less than five feet tall but forceful and articulate, gradually became their advocate.

No Charges. "When I saw Thelma that morning," Doromal recalls, "the fear shot from her face into my heart. She'd been beaten and she was crying and trembling."

Landeza's tale was harrowing. At 38 and widowed, the small, sweet-faced woman had sought work in



the Northern Marianas to send money to her five children in the Philippines. "It was supposed to be like going to America," she says.

But that's not the way it turned out for Landeza or thousands of other men and women like her. From 1990 to 1993, she says, she was paid the domestic wage of 69 cents an hour for 12-hour days; she also was "rented out" to another party for an additional six hours a day, for which she never saw a cent. Landeza was supposed to have Sundays off but says she did not.

Like many other workers, Landeza was afraid to complain to local labor officials. She says her boss, Rafael Quitugua, flaunted his connections with those very people. She couldn't risk being returned jobless to the Philippines.

Then, according to Landeza, on the night of October 16, 1993, Quitugua ordered her to clean up a bar he owned. Driving her back home, the man reached for Landeza and said, "I like you very much." He veered down a path toward an isolated beach.

"I screamed and fought him and begged him to take me home," she says. "But he beat me and finally raped me. He said, 'If you ever tell what happened, I'll kill you.'"

Doromal didn't want this to become another unprosecuted case because of "insufficient evidence." So she and Landeza took the first morning flight to the island of Saipan, the Northern Marianas' seat of government. There, Dr. David McGarey of the Commonwealth Health Center noted

abrasions on Landeza's body. He diagnosed "apparent rape" and collected specimens for a rape evidence kit that he turned over to authorities.

Doromal also summoned Renato Villapando, principal officer of the Philippine consulate. To assure immediate attention, he wrote a detailed account of Thelma's story that he sent to the attorney general of the Northern Marianas.

Weeks passed, however, and then months. No charges were brought. Quitugua, meanwhile, maintained his innocence.

Privileged Minority. American interest in the Northern Marianas was born in the blood of 5289 American soldiers who died there in 1944 wresting the islands from the Japanese. The territories languished for decades until 1976 when the U.S. Congress created the Commonwealth of the Northern Mariana Islands (CNMI). A decade later its residents became American



Thelma Landeza
"It was supposed to be like
going to America."

SHAME ON AMERICAN SOIL

citizens. Under the agreement, Congress allowed CNMI to set its own immigration policies, and the U.S. minimum wage would not apply to its workers.

The result was rapid economic growth, as entrepreneurs flocked to Saipan to open factories and develop tourism. The most common products were garments carrying the coveted "Made in U.S.A." label that entered the U.S. mainland duty-free. From all over Asia, especially the Philippines, destitute workers arrived to work in these factories and in the islands' booming hotels, restaurants and bars.

Their wages, though higher than in their native countries, were quite low—and remain so today. The biggest winners are the natives. The law grants a legal monopoly of all land in the Northern Marianas to these Pacific islanders, who can lease their property to factory and hotel operators at handsome prices.



Wendy Doromal
Forced, with her family, to flee
the island

Today only about 38 percent of the CNMI population of 59,000 is of native descent. "They are an exclusive minority with the power to dominate and exploit others," says Mikel W. Schwab, assistant U.S. Attorney and chief of the civil division that oversees the CNMI. "What's missing is equal protection under the law."

The case of Thelma Landeza was one of more than 500 complaints that reached Doromal starting in 1989. As an underground network of sympathizers grew up around her, Doromal accumulated hundreds of pages of statements—all of which she readily shared with any official agency she could persuade to listen. While more than half the cases involved wage disputes, others included workers tortured, forced into prostitution and held in sexual servitude.

"In my own experience as a civil prosecutor," says Schwab, "I have witnessed a level of human exploitation that makes Doromal's cases ring with credibility." But his civil division had no primary authority to investigate or prosecute rapes and assaults that occurred in jurisdictions under the control of the CNMI attorney general's office.

Doromal and her husband, Boboy, provided food and shelter for workers and helped them file complaints. Most important, they stood beside them in the face of predictable wrath from their employers and government officials.

In one case Rota's mayor, Joseph S. Inos, was accused of forcing a waitress to perform oral sex. She

fled to Doromal, saying she was afraid to tell the police, who worked for the mayor. She was hiding there the next day when Inos showed up at 6 a.m. looking for her. No charges were ever brought. Mayor Inos denies that he was "involved in any improprieties" with the waitress.

In another incident, CNMI's soon-

tires of the family car were slashed. Her family was ostracized, and this pressure forced Doromal to resign from her teaching position.

On August 29, 1994, the Doromals fled to Saipan. There CNMI Governor Froilan C. Tenorio met with Doromal and assured her that the worst labor abusers would be prosecuted.

A few weeks later, in September, Governor Tenorio sat before a U.S. Senate subcommittee in Washington, D.C. With great humility he conceded that many of the charges reported in the press—which were first raised by Doromal—were accurate: "I am saddened and ashamed.

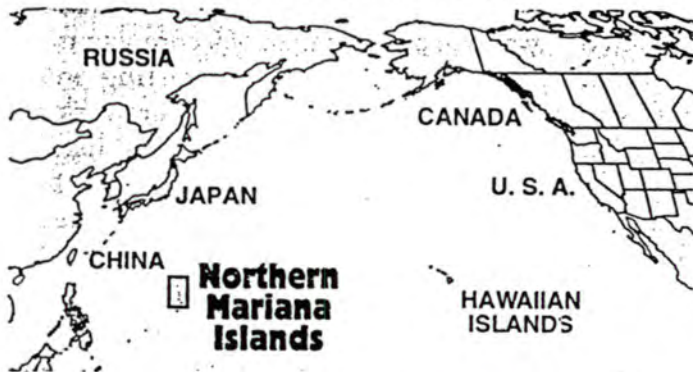
Workers have been cheated and forced to live in subhuman conditions, locked in during nonwork hours, and been beaten and raped. Our administration will do everything in our power to end labor abuse."

Blaming the Victim. A few days after meeting with Tenorio, Doromal received a call from Rota's underground network. A hysterical young woman named Teresa* was claiming that for several weeks she had been locked up by her employer and repeatedly raped.

Doromal arranged for Teresa to be brought to a Saipan hospital. "She kept going into corners and rocking back and forth, crying," Doromal says.

Teresa, 24, was an animated woman who had studied hotel and restaurant management in the Philippines.

*Name has been changed to protect privacy.



to-be-named director of commerce and labor, Pedro Dela Cruz, wrote the owner of a nightclub: "I must say that with all the dancers/strippers in Rota, your two girls are superb. They are sexually seducing." When asked about the note, Dela Cruz replied, "What was wrong with it?"

Hollow Promises. As Doromal continued her fearless campaign, CNMI authorities sought to discredit her. She was accused of everything from fabricating stories to harboring illegal workers. By the summer of 1994, however, her files had become the basis for a government task-force investigation that confirmed a number of her charges.

Growing publicity about worker abuses set off local rage against Doromal and her family. Anonymous phone calls threatened death. The

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But employment there was scarce. A job on Rota with an establishment described by the recruiter as an "upscale restaurant" seemed the surest route to good money. The establishment, however, was little more than a brothel.

In desperation Teresa accepted the friendly overtures of a politically well-connected man who got her out of the club. Teresa says she went to work for him—only to be locked in a remote farmhouse where she was tied up, beaten and raped daily until she escaped after three weeks.

A Saipan doctor found her rectum lacerated and her vagina showing signs of repeated intercourse. He also noted human bite marks on her body. He concluded, "The findings are all consistent with forced intercourse."

Under the glare of publicity stirred up by Doromal, the CNMI attorney general's office investigated Teresa's case. Four months later it concluded that the evidence was insufficient to go to trial. The case was dropped.

Cheryl Gill, former chief of the attorney general's criminal division, described an intensive investigation of Teresa. In the end, Gill said, it appeared that the victim had been intimate with her boss before she began working for him. "The medical findings are of very little value," Gill explained.

"Something is all wrong when they investigate the *victim*," Doromal says. "I wish they'd spent their time looking into the *attacker*."

Two weeks after Teresa's case was dropped, Governor Tenorio was back in Washington to inform Congress that

his administration was making substantial progress in cleaning up human-rights violations. Employers who abuse contract workers, he said, "are being investigated, prosecuted and convicted."

To Doromal, such words meant that nothing had changed. But with no regular job, her family couldn't stay in the Northern Marianas; they returned to the U.S. mainland in May 1995.

"We'll Give You a Plane Ticket."

In December 1995, almost a year after Tenorio last told Congress he was cleaning up human-rights violations, Maria,* a tiny Filipino woman with a childlike face, stood frozen on the stage of a Rota nightclub, tears in her eyes. It was Maria's first night of work, and she had been promised she would never be asked to dance nude. But now, amid catcalls, her boss was demanding that she strip.

He threatened her until she gave in. But that wasn't enough; soon he demanded that she have sex with him and "go out with customers." Maria refused. She was forced from her job and returned to the Philippines, where she told her story to Reader's Digest.

Despite such reports, CNMI Acting Attorney General Robert B. Dunlap II claims conditions are much improved. "We have doubled our efforts," he says. "We have set up an office and a hot line so nonresident workers with complaints can get in touch with us." Dunlap scoffed at the idea that forced prostitution has been prevalent on Rota. "We sent two investigators to Rota," he says. "They stayed

*Name has been changed to protect privacy.

a week trying to attract a prostitute—and never found one."

Tenorio, up for re-election in November, maintains he is doing all he can to make a good situation for contract workers even better. Meanwhile, he is conducting a million-dollar public-relations campaign to shore up the CNMI's image, bringing dozens of Congressmen and staffers to tour the Northern Marianas.

"The thinking is 'Don't fix the problem, fix the image,'" says Eric Grégoire, a New Jersey native who is the human-rights advocate for the Catholic Church in the Northern Marianas. He is still summoned to Rota regularly by Wendy Doromal's original underground network.

As recently as last summer Jesus Varela, labor representative at the Philippine consulate in Saipan, took declarations from four young women who had fled Rota, claiming their boss at the Red Rose nightclub had sexually harassed them and cheated them out of wages.

In interviews the four women stated that they had first complained to the CNMI labor representative on Rota. His response: "Either go back to the Red Rose or get the hell back to the Philippines." The

CNMI government denies its labor representative said this.

When the women were finally given a hearing earlier this year, the CNMI scheduled the proceeding in Mayor Inos's office. Inos's son, Perry, was the attorney for the owner of the Red Rose, Juan Hattori. The women protested, and the CNMI government moved the hearing to a more neutral location—the office of the governor's representative on Rota.

In a tape recording of the hearing, given to Reader's Digest, attorney Inos is heard telling the women, "We'll give you a plane ticket. You can go back to the Philippines tonight. We'll give you \$100 pocket money." Hattori has denied the women's charges. Nonetheless he has reached an undisclosed settlement with them.

Meanwhile, reports of abuses are not confined to Rota:

- A 14-year-old Filipino girl was forced to dance nude in a Saipan nightclub, according to an "oppressive child labor" complaint filed by the U.S. Department of Labor. She testified that she also had to engage in oral sex with customers on stage before a video camera. The club owners say the complaint is



Eric Grégoire
"The thinking is...
fix the image."

unfounded. One of the club's managers worked by day for the CNMI government. The CNMI did not bring charges.

- A top CNMI immigration official, Isidro Cabrera, is charged with raping a Chinese contract worker in his custody at the Saipan airport. Ear-

lier as a police officer, he was also charged with raping a woman. That charge was dismissed; the current case is pending. He pleaded not guilty.

Case Closed. What of Thelma Landeza? In February 1995—more than 16 months after she reported being kidnapped, raped and beaten—her boss, Rafael Quitugua, was charged with the crime. He pleaded not guilty. In December 1995 the charge was dropped.

Attorney General Dunlap claims that there is evidence contradicting Landeza's account, including an unnamed witness. He declined repeated requests by Reader's Digest to provide corroboration. In an interview last fall, Dunlap and two prosecutors did assert that the victim did not promptly report the case and the doctor who examined her, David McGarey, had left the island.

But the fact is, the matter had been reported promptly to authorities. What's more, McGarey, who



Robert Dunlap II
His investigators found
no prostitutes.

is now practicing in Virginia, says, "I remained in Saipan for ten months. No one ever contacted me."

Attorney General Dunlap revealed to Reader's Digest that the rape evidence kit in Landeza's case was never sent to the lab for testing. Prosecutor Gabriel

Acosta nonetheless moved to dismiss the charge because of insufficient evidence.

Several miles from garish downtown Saipan, this reporter sat with Landeza, who still keeps with her a small packet. "These people told me they would help me," she said. One by one, she peeled off business cards, mainly of people in the CNMI government. Her face filled with sorrow, she fingered the cards soiled with sweat and false hope.

Responsibility for such human-rights abuses lies ultimately with the U.S. Congress, which oversees CNMI wage and immigration policies. Legislation addressing these issues is now being considered.

Today Wendy Doromal teaches in Florida and keeps in touch with issues in the Northern Marianas. "America is supposed to be the flagship of human rights all over the world," she says. "It's intolerable that we're allowing these abuses to flourish under our flag." ❖❖❖