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# Impeachment tribunal denies Ehsa's motion to dismiss two of its Justices

By **Bill Jaynes**  
*The Kaselehlie Press*

October 16, 2015

**Pohnpei, FSM**—The impeachment tribunal has once again ruled against a motion filed by Governor John Ehsa. On September 30 the impeachment tribunal issued an eleven page ruling explaining their decision to deny Governor John Ehsa's motion for two of the Justices on the tribunal to recuse themselves. "Under the Powell factors, and based on the totality of the circumstances, we find that a reasonable disinterested Pohnpeian who knows all the circumstances (the ruling listed) would not harbor any doubt as to the Justices' impartiality in this case. The motion is therefore DENIED," it concluded.

Governor Ehsa motion claimed that because Special Prosecutor Kembo Mida is Chief Justice Benjamin Rodriguez' personal attorney in a matter that is before the FSM Supreme Court he cannot be impartial in the matter of the impeachment.

It argued that a similar argument applies to Associate Justice Nickontro Johnny who is the presiding Justice on the tribunal. The motion also argued that because Governor Ehsa denied a request to provide housing for Justice Johnny, and because the Governor did not oblige Johnny's request to seat his promise

brother to the bench of the Pohnpei Supreme Court, Johnny would naturally have a bias against Governor Ehsa that could act to affect Johnny's judgment as a member of the tribunal.

Special Prosecutor Mida filed his opposition to Governor's Motion to disqualify Rodriguez and Johnny. He argued that the motion was untimely and that no reasons existed for disqualification.

"There is insufficient evidence in the record to decide whether the filing of the motion was untimely and therefore decline to deny the motion based on untimeliness," the tribunal's ruling said. It said that it is obvious from the Governor's own motion that he knew long before he filed his motion for disqualification that he had denied Johnny's requests in 2014. "Thus, these issues are untimely."

However, while it is indisputable that Mida represents Rodriguez and Johnny in unrelated cases before the FSM Supreme Court there isn't sufficient evidence in the record for the tribunal to know when Mr. Ehsa or his attorney became aware of that fact. "We thus treat this issue as timely brought forth in the motion."

Mida argued in his opposition to the motion that the motion was untimely because it was not filed before "trial or hearing". Ehsa argued timeliness by

See "Tribunal" on page 5

## Missoula Children's Theater brings performing arts to Pohnpei



cast members. Rehearsals began that very evening according to the U.S. Embassy's Facebook page ([www.facebook.com/usembassykolonia](http://www.facebook.com/usembassykolonia)), their current "go to" information distribution source.

The cast had only four days to learn their lines and stage directions before performing in front of audiences totaling over 1100 people.

Directors Joseph Godburn and Scott McGee ran the four days of rehearsals and the three productions. They brought acting skills out of the cast members



that those members may not have known they had.

What was apparent from the closing performance this afternoon was that the children seemed to have had a great time. There wasn't a sign of nervousness from any of them. No one "blew their" lines, or if they did, no one in the audience seemed to notice. I certainly didn't but that could have been because I was standing on the sidelines with two cameras and big happy tears in my eyes as I watched the actors have genuine fun.

The creatively staged and choreographed caterpillars and butterfly actors inched across the stage. The cute little maids stole

See "Sleeping Beauty" on page 8

# Pohnpei celebrates the life of Senator Bellarmine Helgenberger

By Bill Jaynes  
The Kaselehlie Press

September 29, 2015

**Pohnpei, FSM**--In the early morning hours of September 27, Pohnpei's Senator Bellarmine Helgenberger slipped from this life into the next. While the people of Pohnpei State considered the loss of a Legislator and statesman, his family experienced a much more profound loss. "He was the anchor of our family," said Naythan Primo Yamaguchi.

Along with his legal responsibilities as the representative of Madolenihmw at the Pohnpei State Legislature, Senator Helgenberger also held the high traditional title of Luhk en Lengso.

A State funeral was held in the Legislative chambers on Monday, September 28. On September 29, the main road through Kolonia was closed in the vicinity of his home for the funeral that was attended by hundreds of Pohnpei's well wishers. His burial on the grounds of that property took place at 2:00 that afternoon.

The office of the Pohnpei State Legislature distributed a printed copy of a eulogy for Senator Helgenberger during the State Funeral.

It said:

Today we stand beside Mrs. Melinda



Helgenberger, Simbell, Robert "Tuko" (who have recently gone before him), Tony, Daryl, Derrick, Donovan, Megan, Douglas, Darney, Diana, Dietra, Maebella, his eight grandchildren, and the rest of his family and friends in saying "goodbye" to our beloved husband, father, grandfather, uncle, friend, and Senator Bellarmine Helgenberger.

Senator Bellarmine Helgenberger was born on April 14, 1960. He was the eldest son of Bernard Helgenberger and Doris Nena Helgenberger. He attended and graduated from Xavier High School in 1977. He then attended and graduated from Reges College (now known as Reges University) in Denver, Colorado in December, 1980.

Growing up, Senator Helgenberger was a devoted young man, ever obedient to his father, even if it meant hard work on his part. For upon his father's request, he went to High School for three years and then to college for another three years rather than the traditional four years. He was a talented man who placed his God given capabilities to serve a noble purpose.

With his passion to make a difference within his community, Senator Helgenberger was elected in November, 1999 as a Senator for Madolenihmw Municipality. Right after becoming a Senator, he became the Vice Chairman of the Fifth Pohnpei Legislature

Standing Committee on Resources and Development so he may further serve his people. Afterwards, Senator Helgenberger became Chairman of the Fifth Pohnpei Legislature's Standing Committee on Finance.

Senator Helgenberger became a legislator at an opportune time, a time when our young nation was transitioning from the first Compact of Free Association to the second Compact (Compact two) [Editor's note: the Compact is the same Compact but was amended] With his strong resolve to ensure equality and fairness to all, Senator Helgenberger took part in many measures that ensured equal treatment for all. He was relentless in serving his people. Although Senator Helgenberger could be very passionate about an issue, we did not see him taking those issues personally. We will remember Senator Helgenberger to be a great lawmaker who dealt on principle, kindness and humor.

Despite his many challenges as a legislator, our beloved Senator took care of his family. He loved every member of his family equally. His love for his family was also translated in his love for his municipality. In Madolenihmw, our beloved Senator was bestowed the title "Luhk en Lengso" by his Majesty Ihten Shelten, former Isipahu. Luhk, See "Senator Helgenberger" on next page



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Bill Jaynes  
Managing Editor

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## Despite Miju attorney's threats Peterson stands firm

By Bill Jaynes  
The Kaselehlie Press

October 7, 2015

**Pohnpei, FSM**—An October 2 letter to Acting Governor Marcelo Peterson from Miju Mulsan Attorney Joe Phillip began innocently enough. But it quickly devolved to threats against Peterson's gubernatorial aspirations if he didn't act according to Phillip's foreign client's wishes.

Peterson was not cowed by the threats and has stood firm for what he said were the best interests of Pohnpei's people and economy.

The subject line of Phillip's letter said that it was in regards to the "Luen Thai v. John Ehsa, as Governor, Pohnpei State, and OFA (Office of Fisheries and Aquaculture)" civil action. The first paragraph advised the Acting Governor that the FSM Supreme had denied his motion to withdraw as Miju Mulsan's attorney so that he could switch sides and act as attorney for the Governor and Pohnpei State.

The letter also mentioned that Pohnpei's Attorney Judah Johnny "had issued a notice to withdraw Miju Mulsan's lease, and collaborated with OFA withholding implementation and enforcement of the recently promulgated transshipment fee regulation."

Phillip "suggested" that Acting Governor Peterson should retract or rescind the "notice to withdraw" Miju's lease and "advise OFA to enforce the transshipment fee regulation immediately."

"If this is not done, Miju is considering legal recourse within the next two weeks. A draft copy is appended hereto for your information. In my opinion, it would not be in your best interest to have 5 million dollar suit against you and the state reported on the front page of KP (Kaselehlie Press) before the November 10, 2015 election," Phillip's letter said.

Phillip had not contacted The Kaselehlie Press before he made his threat of publication on the front page of the newspaper. He has not been in contact since he made that threat.

"The timing of Judah Johnny's (Pohnpei's Attorney General) action and that of OFA, unfortunately, has the potential to derail your bid for Governor," Phillip wrote. "But if you accept what I suggested above, then after the election if Judah Johnny and OFA still feels raw about the Miju lease and the transshipment fees, lawsuit can be filed to invalidate the lease and the transshipment fee regulation can be amended through the same procedures," he wrote.

Phillip claimed that his threatening letter is an "unsolicited recommendation, not as special counsel since you have approved the AG action to terminate my employment, but out of consideration of the bond between my niece...and your nephew...." After his "disclaimer" of responsibility, the letter ended.

He attached a four page draft civil action claiming anywhere from \$100,000 damages for alleged individual offenses against his clients to "\$5000.00 million". The latter claim was likely a typographical error.

The draft Civil Action Phillip threatened Peterson with says that OFA's decision not to collect transshipment fees has irreparably harmed his client, Miju Mulsan.

Acting Governor Peterson said this evening that he intends to stand firm on his decisions for the benefit of all of the people Pohnpei rather than for just a select few. He said that the Pohnpei State Legislature will be revisiting the matter of the transshipment fees and added that the issue is much more complex than some have been led to believe.

Miju Mulsan is not a beneficiary of any transshipment fees that might have been collected. Miju Mulsan promised to pay transshipment fees in connection with a lease that is still the subject of a lawsuit for the former Pohnpei Fishing Corporation's (PFC) dock facilities. Miju Mulsan has never paid a transshipment fee and could not be harmed if Pohnpei's OFA decided to put a moratorium on the collection of that fee.

Joseph Saimon, OFA's Administrator said this afternoon that the only transshipment fees that have ever been paid in Pohnpei were paid by Luen Thai or companies that transshipped through Luen Thai's services. The imposition of transshipment fees are incorporated in the civil action that Luen Thai and Lien Cheng, its parent company filed at FSM Supreme Court regarding the government's termination of their lease. Luen Thai/Lien Cheng has since paid transshipment fees under protest. Those fees are currently being held in an escrow account pending the outcome of the trial.

After Saimon issued a letter in July of this year declaring a moratorium on the collection of transshipment fees, Luciano Abraham who was acting at the time as General Manager of the Pohnpei Port Authority thanked OFA for the action. He said in the letter that he had recently been to the port in Majuro, RMI where 98 fishing vessels were docked and were transshipping their fish. He found that the reason for their transshipping in Majuro instead of in Pohnpei was directly due to the transshipment fees.

A six page analysis conducted by the FSM's Department of Resources and Development showed that the number of fish transshipped in Pohnpei's port took an immediate dive to about half the previous year's levels just after the transshipment fee began to be enforced. It said that while the state's authority to institute such a fee seemed to be within its rights, the end result seemed to be counter-productive to the state's economy.

"In preparation for a Workshop on the development of the FSM National Tuna

Fisheries Development Policy in January 2014, Mike A. McCoy (2014) estimated of the direct and indirect benefits of transshipment in the FSM," the FSM R&D analysis said. The study "indicated that there is strong evidence showing that Pohnpei State benefits more from the indirect benefits of transshipment than the transshipment fees paid to the State Government. In effect, while Pohnpei State Government collected US\$ 688,000.00 in 2012 in terms of transshipment fees charged on both purse seiner and long liners, the indirect benefits amounted to approximately US\$7,537,000.00," the FSM R&D analysis said.

The R&D analysis indicates that the transshipment fees directly affected Pohnpei's economy, "Government fees associated with purse seine transshipment, payment to other government agencies, ground lease facilities, purchase of goods and services by purse seiners transshipping in Pohnpei, vessels and net repair services, provisioning services by FSM PC/Vital, and loss of employment will all be affected. There will also be job losses, should fishing vessels reduce their operations in Pohnpei as a logical consequence of decline of transshipment. History tells us that the cessation of Luen Thai Fishing Venture onshore processing activities in Pohnpei in 2012 led to a decline in the number of employment in the fishing sector in the FSM, which went down from 262 in 2010 to 168 in 2012. In sum, it is the economic development in Pohnpei State and in the FSM in general that would face a new setback, in a context already characterized by stagnation and lack of economic growth over the past couple of years."

As to the terminated lease, Judah Johnny said this afternoon that the lease in question in Phillip's letter is for the PFC facilities that were bid out in 2013. He said that Miju Mulsan has essentially abandoned the facility and that the company did not respond to a notice that the lease would be rescinded if they did not respond within 30 days.

Johnny also said that after the company left island, PUC presented a bill for water to Pohnpei's OFA for an OFA water connection that the company had allegedly been using without OFA's consent. After the company left, OFA seems to be stuck with the bill.

He said that when the company entered into the lease it made a \$100,000 security deposit but that the company had since withdrawn the security deposit. A security deposit should be held by the lessor until a lease expires as security against damages. We are uncertain how Miju Mulsan managed to "withdraw" their security deposit.

Pohnpei's AG also said that after the company abandoned the cold storage facility, OFA received a bill from PUC for OFA water taps that Miju Mulsan had been using without OFA's consent.

## ...Senator Helgenberger

Continued from previous page



as we affectionately call him, further displayed his leadership and intelligence through his fair guidance and advice to his family. His family will truly miss him and his influence that has for a long time been the foundation of his family's contributions.

We will always remember Senator Helgenberger to be a prominent member of his State government, municipality and family, but we must not forget that he was only but a simple man. A fisherman, who spent his free time in his boat out on the ocean. A simple man with a noble purpose to serve every person no matter their social status or their ability to return his services.

He was a true public servant who served his family, his municipality, his State, and his nation with integrity and dignity. Our beloved Senator was a "man of few words", but his actions spoke volumes. He believed in actually getting things done. We will remember Senator Helgenberger as a man of faith which was demonstrated in his humility and noble personality.

So fitting for our great Senator, a quote by former President Abraham Lincoln who said, "In the end, it's not the years in the your life that count. It's the life in your years."

Our beloved Senator Helgenberger has gone home to be with those who have gone before him. We will never forget his presence within our community. We will never forget his passion to serve us all.

May God bless our beloved Bellarmine Helgenberger and may he rest in eternal peace.

## Fisheries management efforts in the face of climate change in Pohnpei, Micronesia

By: *Jorg Anson*

*Marine and Environmental Research Institute of Pohnpei*

The need to implement effective management measures for Pohnpei's inshore fisheries continue to grow as recent results of biological and socioeconomic research findings become available in Pohnpei and throughout the Micronesia region. Despite implementation of new laws, and regulations such as fish size limits for ten species of reef fish, extended seasonal bans on groupers, gear-type restrictions, and a push for a moratorium on the bump-head parrotfish (Kemeik) and the Napoleon wrasse (Merer), Pohnpei's inshore fisheries continue to decline. Primary reasons for this appear to be poor enforcement and lack of awareness within our fishing communities. The need to find sustainable alternatives for fishing and sakau farming are also continuously being raised at the community level. Recent studies show continued decrease in fish sizes in the markets and the time it takes fishermen to catch these fish is growing, both signs of declining fisheries. Marine Protected Areas in Pohnpei that do not have community support continue to be overfished due to poor support from enforcement agencies. In addition, the slow but inevitable effects of climate change, this year's El Niño, and poor land management practices are putting increasing pressure on our fisheries.

The Marine and Environmental Research Institute of Pohnpei (MERIP) under the support of the United States Agency for International Development (USAID) through a grant from the Pacific American Climate Fund (PACAM) have established a new outreach and awareness program that focuses on engaging with communities that are home to the highest densities of fishermen in Pohnpei. The goal of this program is to work with State resource agencies and local NGO's to educate community members on fisheries management and adaptations with an emphasis on sustainable activities that not only provide fishermen with income generating alternatives but also promote roles for women and youth. During these community engagements, MERIP facilitated exercises where community members identified threats to their fisheries and potential solutions. Communities were also given a chance to prioritize potential actions that are locally attainable and can be accomplished within one to three years. MERIP has so far completed engagements in the municipalities of Kitti (Woun Koapin Soamwoai and Pehleung communities) and Sokehs (Peidie, Soledi, and Roie communities). Three further engagements are also planned with the municipalities of Madolenihmw (Nanwap community), Nett (Sapwitiki, Lenger, and Parem community) and U (Depehk and Takaiau community). MERIP is proud to be working with government and local partners including

the Conservation Society of Pohnpei, Pohnpei State Office of Fisheries and Aquaculture, Division of Forestry under the Department of Land and Natural Resources, and FSM Department of Resources and Development. MERIP would also like to thank the following key community members that have played a huge role in the success and attendance of these workshop: The Honorable Daker D. Daniel (Member of Pohnpei State Legislature) and Mr. Welper David of Pehleung community, Mr. Aisek Artui and Mr. Mike Chipen of Sokehs Section 2, Mr. Marino Eperiam and Mr. Estephan Paulino of Woan Koapin Soamwoai community, and Mr. Zeiger Sonden and Ms. Rihna Villazon of Nanwap Community. MERIP and USAID, through the PACAM project are committed to helping the people of Pohnpei adapt to the effects of climate change by being mindful of the fact that it is essential we conserve our fisheries and marine environment if we are to adapt to the effects of climate change.

## Genesis hospital back to status quo with MICARE

Genesis wishes to inform the public that the reinstatement of the old MOU of February 2103 between MICare and Genesis have been agreed and signed into effect last Friday, October 2, 2015 by both Genesis and MiCare, This agreement shall be effective from October 2, 2015 to December 31, 2015. This basically means MiCare members can avail of medical services at Genesis Hospital and Pharmacy and once again enjoy their health insurance benefits while allowing time for both parties (Genesis and MiCare) to further discuss and negotiate issues relevant to both parties. The resumption of covered services by MiCare at Genesis Hospital was made possible through the efforts of concerned leadership at the national government level who took the initiative to resolve the impasse between Genesis and MiCare in the best interest of its people.

Genesis is sincerely thankful for the initiative of our leaders in bringing Genesis and MiCare to the negotiating table to resolve the impasse and hopes that future negotiations with MiCare will eventually culminate in an agreement that will satisfy not only one but rather all parties involved. We thank the leadership for their patience and dignified tolerance with the situation but most especially the members who were affected the most. Genesis Hospital is delighted to be serving the health needs of MiCare members again.

*Dr. Merlynn Abello-Alfonso*  
Owner

## Notice to the Public

There is no specific court order calling for the October auction of c-star building. Do not be misled by the 2 orders that FSM development bank refers to in their ads and notices to public.

At the time the order of December 24, 2015 was issued almost 2 years ago, there was no application of credit life insurance proceeds. C-STAR borrower passed away in 2004. 10 Years later, newly retained counsel for C-STAR asked FSMDB about the credit life insurance that decedent borrower took, why the bank failed to apply the CLI in 2004 when borrower passed away? FSMDB through its attorney answered among others that FSMDB did not apply CLI because family of decedent borrower never asked. FSMDB applied CLI proceeds 10 years after borrower died. CLI should be applied at the time borrower died (2004), not at the time lawyer for family of borrower asked (2014). If not asked, FSMDB would not have applied CLI. If CLI applied in 2004, FSMDB did not have to file lawsuits against decedent-borrower's family. When challenged in court about the rent proceeds taken from C-STAR to apply to RS PLAZA account, FSMDB produced new ledgers showing funds moved and placed in C-STAR payment ledger. Those are funds not disclosed to court prior to the December 24, 2013 order. If not asked, FSMDB would not have moved funds back to C-STAR account.

Injection of huge funds into C-STAR account in 2014 rendered the December 23, 2013 order – ineffective.

The order of July 1, 2015 issued by Associate Justice Materne from the Republic of Palau is being challenged in its entirety. A motion to set aside order was filed on July 27, 2015. There is no court order appointing justice materne on the C-STAR case (Pohnpei) and RS PLAZA case (Chuuk). Associate Justice Materne does not have jurisdiction over C-STAR and RS PLAZA cases. If FSMDB insists on auctioning properties on challenged figures (mostly from layers of interests charges), FSMDB must apply for new motion for order in

aid and undergo evidentiary hearing.

Deed registered on July 24, 2013, executed by Vicky Setik purportedly giving up her right to C-STAR and Dolonier property - properties held under the heirs of Raymond Setik on joint-tenancy status. One heir cannot give up the entire heirs' rights, cannot do passage of land title without obtaining consent from the other heirs. Deed does not have legal weight, since not all heirs signed off.

The C-STAR case is still ongoing. The judgments that FSMDB is trying to collect (including RS PLAZA) are all "default" judgments. 2 New lawsuits were filed against FSMDB on conversion of assets held under estate, misrepresentation, fraud, violation of title 30, violation of due process, etc. There is no court order specifically calling for land sale by auction with a deadline of October 30, 2015. Do not be misled by FSMDB's ad. If you have questions, the court files are opened to public.

FSMDB through its lawyer is attempting to do the same type of irregular transactions done in RS PLAZA building and NEPON 2 land parcel in Chuuk. RS PLAZA building was valued at \$1.3 Million at the time it was recorded as part of the estate of Raymond Setik in Chuuk State probate court. FSM development bank did not do any valuation of RS PLAZA building, furniture, fixtures, equipments, etc., Before FSMDB put out notice of auction. There was no auction on RS PLAZA. FSMDB did a short sale to buyer for \$100,000. FSMDB did another short-sale of nepon 2 parcel (non-pledged land next to RS PLAZA) to same buyer of RS PLAZA.

The ongoing injustices inflicted upon the Setiks family by the questionable conducts of FSMDB – through their lawyer and management must stop. Justice for one family is justice for other families.

*This ad is paid for by friends of the Setik family.*

## ...Tribunal

*Continued from front page*

arguing that “[n]o set trial or evidentiary hearing date is now imminently pending in the matter.”

The ruling cited precedent that showed that it has been settled that a court may strike a disqualification motion as untimely where the motion is made after the court has ruled on an issue of considerable importance in the case. It then listed several of the important rulings that it had already issued before the motion was filed. On that basis the filing of the motion was untimely.

However, the law allows for filing at a later time “for good cause” and Mr. Ehsa argued that good cause includes the circumstance where the movant lacked the information that potentially causes disqualification. The tribunal accepted Ehsa’s claim that he only became aware of the relationship between Mida and the two justices just before he filed the claim to disqualify them, thus making the filing of his motion timely under the statute.

“In striking a balance, the law presumes that a justice is qualified and unbiased,” the ruling says. “To overcome that presumption, the movant must prove bias by a preponderance of evidence.”

It again cited case precedent in which a court had ruled that unsupported allegations that a Justice may have

subconscious misgivings is speculation and is insufficient to support the judge’s disqualification.

The remaining issue of whether or not the fact that two of the Justices on the Tribunal are being legally represented on unrelated matters by the Special Prosecutor means that those Justices should be disqualified is not a simple matter. The ruling says that matter is not settled in the FSM and that the U.S. state law is split on the issue. Neither Ehsa nor Mida cited any FSM case law to back their respective arguments.

The Tribunal decided “to adopt the factors promulgated by the Supreme Court of Minnesota in *Powell v. Anderson*...and later adopted by the Supreme Court of Mississippi in another case.” The Tribunal called them the Powell factors:

“In discussing the circumstances which would require recusal due to representation of the judge,...four factors should be considered.

“First, the reviewing court should consider the extent of the attorney-client relationship. ‘If the relationship consisted of a single, short episode, or even a series of sporadic contacts, disqualification is less likely than it it consisted of a long-term, continuous course of representation.’

“Second, the nature of the representation should be considered. ‘A direct relationship, where the judge is represented personally, is more indicative of a reasonable question regarding the

judge’s impartiality than a relationship that only involves the judge in some institutional or technical role.’

“Third, the court should consider the frequency, volume and quality of contacts between the judge and the attorney or firm.

“Fourth, the court should look to any special circumstances that may enhance or diminish the importance of disqualification, particularly in the eyes of the public.”

The tribunal ruled that the Powell factors allow the Court to abide by the letter of the law, but also follow the decreed from a previous FSM case to take into account the unique circumstances of Pohnpeian society, culture, and geography. “These factors can be applied to the facts of this case in order to determine whether a disinterested reasonable Pohnpeian who knows all the circumstances would harbor doubt as the judge’s impartiality,” the ruling said.

It said the limited involvement of the justices with their respective cases at the FSM Supreme Court does not disqualify them. “The Ramp and Mida Law Firm was in conversations with the justices for only a limited time regarding a single matter in which the justices acted in their official capacities. “Any communication was conducted through the law clerks or court administrator as opposed to direct communication between the justices and any lawyer of the firm,” the ruling said. “Also, because of the nature of the

case, communication between this Court and the law firm on the matter has been infrequent. The matter on which they are represented, acting solely in their official capacities as justices of the Pohnpei Supreme Court, is wholly unrelated to the present case. Moreover, the defense of the justices for the cases at the FSM Supreme Court are funded by the Pohnpei State Legislature, not by the justices themselves. Lastly, neither Justice Johnny nor Justice Rodriguez have ever recused themselves in a prior proceeding for the reason that they are represented by Mr. Mida in a case before the FSM Supreme Court.”

“In a large city in the United States, it may be justified for parties in a dispute to confront each other in Court with carefully applied rules for a judicial officer’s disqualification from a particular case because the instance of a judge and party or their attorney having a relationship requiring recusal is so infrequent where the population is vast and spread out. By contrast, an island society the size of Pohnpei is greatly affected by its geography and the connected and interwoven relationships of the people who live here. It is commonly accepted as normal that any two people, both having lived their lives on a particular island, almost certainly are related or otherwise connected by a relationship in some way. We apply the reasonable Pohnpeian standard using the four factor test set forth in *Powell* with these truths in mind,” the ruling said.

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## Madolenihmw votes to seat John Ehsa in Pohnpei State Legislature

By *Bill Jaynes*  
The Kaselehlie Press

October 16, 2015

**Pohnpei, FSM**—The passing of Senator Bellarmine Helgenberger left a vacant seat in the Pohnpei State Legislature. Under Pohnpei's law, when a Legislator's seat is vacated and there is less than one year before the seat will be filled by election, the administrator of the municipality that is left with no representation may appoint a replacement. The appointment requires the advice and consent of the municipality's council by resolution.

Madolenihmw selected John Ehsa to fill the Senator Helgenberger's seat for the three months remaining in his term.

Three days ago Speaker Fernando Scaliem said that he had sent the appointment back to the Madolenihmw Council due to legal insufficiency regarding wording. A well placed source said that the council resolved the wording issue and retransmitted the resolution to the Pohnpei State Legislature last evening.

The resolution must be reviewed by the credentials committee of the Pohnpei State Legislature. Unless that committee finds a legal reason that would bar him, Mr. Ehsa will be seated in the Legislature as a Senator. He would have to resign his position as Governor before he could be seated.

We are told that in that case, the impeachment proceedings against Governor Ehsa would likely then be moot.

## President Christian addresses high-level event on women's empowerment

*FSM Information Services*

October 1, 2015

United Nations Headquarters, New York, September 27, 2015 - FSM President Peter Christian delivered remarks at the 'Global Leaders' Meeting on Gender Equality and Women's Empowerment,' a high-level event at the beginning of the 70th Session of the United Nations General Assembly. The meeting, which was co-hosted by the People's Republic of China and UN Women (the United Nations' gender equality body), was part of the three-day High-Level Sustainable Development Summit at which the Sustainable Development Goals (SDGs) were adopted.

President Christian began his remarks by thanking the organizers of the event, President Xi Jinping of China and United Nations Secretary-General Ban Ki-Moon. Both President Xi and the Secretary-General announced their commitments to enhance gender parity, including China's pledge to scale up financial and technical assistance to developing countries.

In the first half of his statement, President Christian reflected on the successes achieved under the Beijing Platform for Action and the Millennium Development Goals, but said countries must move forward without delay on the 2030 Sustainable Development Agenda. He called for leaders to commit to intensify efforts to reach the targeted development goals before their time. He highlighted FSM's Strategic Development Plan, which encompasses the participation of women in all spheres of FSM's nation building efforts, and the Gender Strategic Planning Matrix. He pointed out that these could benefit from more extended effort by the United Nations to review the process.

President Christian confirmed FSM's commitment to pursue the unfinished work of the Millennium Development Goals with more vigor. At the same time, FSM will also focus on a cross-cutting effort to fulfill Sustainable Development Goal 5 ("Achieve gender equality and empower all women and girls.")

In conclusion, FSM will strive to reach its goals for women's empowerment as soon as possible, but will require adequate resources and human capacity to progress as fast as larger nations. President Christian urged all nations to work collectively and travel the path of this noble challenge together.

## Technical Compliance Committee meeting



The 11th Technical & Compliance Committee (TCC11) meeting took place in Pohnpei, Federated States of Micronesia from 23 September to 29 September 2015. The meeting was held at the College of Micronesia Gymnasium in Palikir with the participating countries from: Australia, China, Cook Islands, European Union, FSM, Fiji, French Polynesia, Indonesia, Japan, Kiribati, Korea, Marshall Islands, Nauru, New Caledonia, New Zealand, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tokelau, Tuvalu, United States, and Vanuatu. There were a total of 130 participants and observers that attended the TCC11.

The function of TCC according to Article 14 of the Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC Convention) include: i) providing the Commission with information, technical advice and recommendations relating to the implementation of, and compliance with, conservation and management measures (CMMs); ii) monitoring and reviewing compliance with conservation and management measures adopted by the Commission; and iii) reviewing the implementation of cooperative measures for monitoring, control, surveillance and enforcement adopted by the Commission. FSM is a member of the Pacific Islands Forum Fisheries Agency (FFA), consisting of 17 members'. FFA members' are largely made up of small island developing states (SIDs), which are limited in its resources, in terms of fully implementing the Commission's management measures and resolutions. As a collective effort, FFA members' normally meets prior to the TCC proper, to discuss and agree on strategies in preparations for the negotiations at TCC. FFA members' interest, though diverse in some area, are commonly aligned, as coastal states compared to those of fishing nations.

The WCPFC had made an outstanding progress in the development of Monitoring, Control and Surveillance measures over the past few years and several are now in the final stages of development or the initial stages of implementation. Major MCS priorities included the IUU List, Compliance Monitoring Scheme, Regional Observer Programme (ROP), Transshipment, and Vessel Monitoring System (VMS). These were few of the top priority MCS component discussed at this year's TCC 11 meeting, amongst other MCS issues.

The following recommendations were noted by TCC 11 to be taken up to the WCPFC Commission meeting for endorsement which will be held in December in Bali, Indonesia.

- Amendments to the scientific data to be provided to the commission
- New Zealand Amendment to scientific data to be provided to the commission
- Harvest Strategy for Key Tuna Species
- Purse Seine fishing in PNA Waters

- Draft CMM on Target Reference Point for WCPO on Skip Jack Tuna
- Japan information paper on Sea birds
- South Pacific Albacore Management
- CMM on the Eastern High Seas Pocket Special Management Area by Cook Islands
- US suggested revision on VMS SSPs on ALC Approvals
- Japan's proposal on secretariat proposed changes WCPFC
- Tuvalu recommendation for consideration by TCC on IUU vessels
- EU recommendations on shark finning
- Scientific Data to be provided to the commission by EU

At the TCC 11, a lot of relevant issues were discussed particularly such as FSM's nominating 4 Philippine flag vessels on the WCPFC IUU List for allegedly illegally fishing in FSM EEZ in contravention to FSM's Marine Resources Act of 2002. FSM Delegation was headed by Mr. Justino Helgen who is the interim Chief of Compliance from National Oceanic Resource Management Authority (NORMA). During the meeting, Helgen presented a national statement in the plenary, and clarified the offences occurred, negotiation progress, and stated their position to place the four vessels on the IUU list. On 24th September 2015 a bilateral meeting was held outside TCC Margin between FSM and Philippines delegates with the present of FSM Attorney General Mr. Jose Gallen and Ms. Caroline Ruger from FSM AG's office along with Executive Director of NORMA Mr. Eugene Pangelinan and Head of FSM Delegation to TCC 11 Mr. Justino Helgen met with Delegation from Philippines. During the meeting, Philippine provided some response that their flag vessels were not conducting any illegal fishing in FSM EEZ for 2013 and 2014. The information provided were not sufficient enough to satisfy FSM as a result, FSM maintained that the 4 vessels remain on the WCPFC provisional IUU List.

On the last day of the Meeting, the plenary agreed that the 12th Technical Compliance Committee Meeting will be held in Pohnpei again in 2016. This presents significant economic benefits to Pohnpei and FSM with such a high attendance of participants and observers to the meeting.

## President Christian Addresses Climate Change, Peace and Security in the UN General Assembly

FSM Information Services

October 5, 2015

New York, October 1, 2015 President Peter Christian addressed the 70th United Nations (U.N.) General Assembly emphasizing the impacts of climate change and the need for cohesive action to save the low lying Pacific Islands, including the Federated States of Micronesia. "We must become more cohesive in our actions to bring a useful conclusion to help mitigate the threat of sinking islands and prevent the potential genocide of Oceanic peoples and cultures," he declared. He noted FSM's dedicated contribution to international efforts in saving the world through the Micronesia Challenge initiative and continued commitment to phasing down HFCs under the Montreal Protocol.

Mr. Christian voiced hope that the upcoming international climate change conference in Paris in December, would resolve the disagreements over allowable emissions of greenhouse gasses by industrial nations.

On the issue of peace and security, President Christian demanded the United Nations and the International Community to undertake all efforts to make this world a peaceful place for all. He noted that in the 20th century, FSM experienced decades of armed conflicts; conflicts in which FSM had no interest to take part in, but was brought to the Micronesian Islands by powerful countries seeking political expansion and influence.

President Christian urged nations who once stood against each other in conflicts to stand together with FSM today, and to forgive, for a peaceful tomorrow. "Together let us promote friendship, partnership, and cooperation as our collective strength for the future."

The President diverted the attention of the United Nations to common enemies facing the international community today. "We have enough common enemies today, enemies that have no respect for culture, boundaries, religion, or social status, climate change, sea level rise, poverty, hunger and famine, illiteracy and incurable diseases, genocide and human trafficking, economic imbalance and apathy. These are our challenges of today."

The President concluded his statement by calling on the international community in the United Nations to divert its energy and anger for things past and focus on the common enemies of today. He urged all Nations to unite strongly and take actions to overcome these common issues in order to create a better world for all mankind today and tomorrow.

The copy of the President's entire speech can be downloaded from: [http://www.fsmpio.fm/Speeches/christian/unga\\_2015.htm](http://www.fsmpio.fm/Speeches/christian/unga_2015.htm)

## Typhoon Maysak donation drive

FSM Information Services

October 5, 2015

**[FSM Embassy, Japan]** - Following the Emergency Declaration of Chuuk State and Yap State soon after Super Typhoon Maysak ravaged the western islands of the Federated States of Micronesia (FSM), the FSM Embassy in Tokyo convened traditional supporters and friends at the Embassy to give a briefing on the damages and call for assistance. The Embassy also coordinated with the FSM's Honorary Consulate Offices in Hokkaido, Kansai, and Kyushu for donation drives in their respective regions.

As of September 25, 2015, the donations gathered from all over Japan stands at Yen 5,452,055 (\$44,912.71). These donations are from the non-government & non-profit organizations, friendship associations, local governments, private companies, fisheries associations, schools, private individuals, friends and traditional supporters, who have close affiliations with the Federated States of Micronesia. Though donations from the Government of Japan were made in the early recovery stage, these donations are purely from the private individuals and friends of the FSM.

In his thank you letters to the donors, after closing the donation drive project, Ambassador Fritz expressed his Government's appreciation to all the donors for their kind assistance to the people of FSM, especially to the two States affected by Typhoon Maysak, and assured that their donations will put to good use for the people and recovery of the affected areas. Fritz further noted that the donations are true evidence of the goodwill and historic ties that our two people have.

The donations were wire-transferred to the account for Typhoon Maysak at the National Government on September 25, 2015.

## US Ambassador witnesses challenges faced in giving aid in remote communities

Since 2009, the United States Agency for International Development (USAID) has provided support to the International Organization for Migration (IOM) to enhance at-risk communities' resilience to natural disasters in both the Republic of Marshall Islands and the Federated States of Micronesia. The USAID-funded, IOM-implemented Disaster Preparedness for Effective Response ("PREPARE") Program engages remote and outer islands to create community-driven emergency management plans, mindful that it can often take a number of days for external assistance to arrive following a disaster.

At the end of March this year, Typhoon Maysak impacted both the lagoon and remote outer islands of Chuuk State. Following the disaster, USAID funded IOM to provide immediate water, food, and shelter for lifesaving purposes. USAID also provided support to the United Nations Food and Agriculture Organization to deliver seedlings to help regrow food crops that were destroyed by the storm.

On August 18th, US Ambassador to the Federated States of Micronesia, Doria M Rosen learned firsthand the importance of disaster preparedness and response programs when she travelled to Pulap Atoll along with IOM staff on a supplemental food distribution. Rain trickled as the Ambassador boarded the ship headed for Chuuk's outer islands, foreshadowing an intense storm that would rock the vessel and its inhabitants for days as it made its way to Pollap and Tomatan Islands to provide assistance to families still recovering from Maysak.

"Voyages to the outer islands can be very

unpredictable. A sudden change in a storm pattern or swells can cause significant delays or even cancel planned voyages. This can become a critical issue if people are dependent on the vital resources that these ships deliver," says IOM Consultant Joseph Ferris III, who holds a Master Mariners license and worked as Chief Mate on an oceanographic research vessel for 15 years.

Luckily, despite the rough voyage, the Ambassador and IOM crew arrived in Pulap Atoll on schedule for another round of food distribution and the provision of seedlings. Knowing how easily the local community could have been left waiting for food, the group was pleasantly surprised by what they encountered on Tomatan.

"I have tried to visit some of the most remote areas of the FSM during my time here as Ambassador. The Northwest islands of Chuuk had been on my list of places I wanted to visit for some time.

When the Maysak disaster response team offered the opportunity to join them on a mission to deliver supplies to Pulap and Tomatan, I jumped at the opportunity. I was impressed with the team of enthusiastic young people, many of them Chuukese. The crossing was rough, and I am clearly not meant to be a sailor, but the visit to the islands was a wonderful experience and well worth the trip! I loved the beautiful islands, the welcoming people, and being part of the U.S. response effort to help them recover after Typhoon Maysak.

It was encouraging to see the positive attitude of the islanders. What an impressively tight-knit and organized community! On Tomatan, they had already planted the seedlings delivered the preceding day...no procrastination on Tomatan!" said Ambassador Rosen following the trip.

Under PREPARE, USAID and IOM will continue to empower communities disaster readiness. While in an event of magnitude, outside help may be needed, proper preparation and community coordination can hone the ability of the FSM's remote outer islanders to repair their own communities following natural disaster.

## Island Soldiers

Since 9/11, a wave of citizens from the Federated States of Micronesia (FSM) have been enlisting in the United States military exceeding military recruiters enlistment quotas and expectations. Nathan Fitch, who served as a Peace Corp volunteer in Kosrae, is currently working on a feature documentary film, "Island Soldier" that tells the stories of young Kosraeans serving in the U.S. armed forces.

Formerly apart of the Trust Territory of the Pacific Islands, through the Compact of Free Association (COFA), FSM gained independence and established a relationship with the U.S. in 1986. Through the COFA, FSM receives US aid, access to many services, also allowing migrants free access to the US and its territories. Being the newest wave of migrants to the U.S., they remain misunderstood and have become an identifiable group often leaving their contributions, success stories and sacrifices unwarranted and unrecognized.

In Kosrae where the population is relatively small, a significant proportion of young Micronesians with military interests are signing up to work for Uncle Sam in search for a better employment and educational opportunities. The documentary centers on the reality of various members of the Nena family, that shares their personal stories of how their experiences with the military have marked and shaped their lives.

While young Micronesians are immersed in all aspects of military life -- undertaking certain military tasks may carry grave risks in which fatality rates are one of the highest for Micronesians than anywhere else in the U.S. per capita.

To help raise funds for Fitch and his film crew to continue with production as funding is one of the undeniably biggest obstacles getting any film over ground, your support through Kickstarter will enable them to bring to screen a story that reflects the potentially heavy price and impact of citizens from a small and yet young Nation who have served and are currently serving in the U.S. military.

For the trailer for this project and to help raise funds, please go to the following link:

<https://www.kickstarter.com/projects/1738241852/island-soldier-micronesians-fighting-in-americas-w>



...Sleeping Beauty  
Continued from front page

audience members' hearts. The musicians were "cool, man". The cooks seemed appropriately harried for their roles. The guards were stoic as they should have been and silly as they were written to be. The trolls pulled off their role of being stupid both in the 1450's and 1950's even though none of the cast members who played them are at all stupid. The formal yet fun fairies flitted around the stage in choreographed precision.

Keavae Murrie Adams was shy for the camera behind stage but was a notable Town Crier on stage. Molisi Toli played the sleepy "King" and garnered plenty of laughs. Lady in Waiting Destiny Etse seemed to have been tailor made for her role. Jenna Helieisar played the Queen authoritatively. Annika Rodriguez played the young "Sleeping Beauty" and I believed that she was a young "Beauty". When Diana Shigeta replaced Rodriguez as the teen "Sleeping Beauty", I was a bit disappointed since Rodriguez had performed her role so well. But I quickly got over that disappointment. Shigeta took on the role quite nicely and convinced me that she was also "Beauty". Chanelle Tallon played the role of "Scarella" so convincingly that if I did not know her I might have been afraid, exactly as I was supposed to have been. Her glistening, long black hair and scowling demeanor convinced me that she was the wicked witch who cast a spell on Beauty.

For me, Shiloh Susaia's portrayal of "Spot", Beauty's puppy given to her by the court Jester who was played by Director and Actor Joseph Godburn stole the whole show. Susaia was over the top in her role which is exactly what it required. She was such a cute little puppy, I almost couldn't stand it.

The MCT website says that in the summer of 1970 Jim Caron's van broke down outside of Missoula, Montana while he was on his way from Chicago to Oregon for a friend's wedding. While there he noticed an audition call for Man of La Mancha. On a lark, he auditioned and got the part of Sancho, Don Quixote's squire. Don Collins won the leading role as Don Quixote. The two were fast friends and together they organized a company of adults to perform plays for children on a make-shift stage in a local movie theatre. The plays, as well as the idea of developing live theatre for kids, were well-received in Missoula. Soon, nearby Montana and Idaho communities requested performances of their own.

During the depths of an icy Montana winter, the troupe was scheduled to perform Snow White and the Seven Dwarfs in a town 500 miles distant from Missoula. The directors decided that the idea of traveling that distance with seven children who had been playing the role of Grumpy, Sneezy, Doc, Dopey and the rest of the dwarves was a bad one. "The directors traveled across the state a week before the rest of the company, a bit skeptical about finding seven kids who might be interested in being in the play. When 450 children arrived, the astonished team auditioned the huge group and cast the seven roles. The success of that week—obvious major interest among kids, parents, teachers, and the press, as well as an excellent production and sold-out performances—opened the eyes of the MCT staff and the doors to the future."

That future included MCT's visit to Pohnpei; a visit that provided opportunities for children, many of whom would never have had an opportunity to "strut and fret their hour upon the stage" in beautiful costumes and convincing makeup. Memories were made that will likely never be forgotten.

Directors Godburn and McGee also visited PICS, and Nanpei Memorial High Schools and Ohwa Elementary School where they introduced students to the art of improvisational acting. More powerful memories were created there.

The MCT Team packed up and flew out next to Hawaii where they will continue their mission to spark creativity in young people and build powerful memories at Hickam Air Force Base.

## Kolokol Tiahk en leias Kesempwal akan oh Wahn Wiesapwasapw Katapan akan

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Pein Sakatail - pahr 2015

Ni Alem, Oakotohpe 16

Sang kulok 10 ni menseng lel 3 mwurin souas

Island Food Community of Pohnpei - PWUNSO

- Siai en Audepen Wiesapwasapw (Wahnsahpw oh Mahn)
- Siai en wiepen pein Sakatail
- Siai en Koul
- Netilahn Mehn Koarosan kan
- Soangen Katep Katapan Teikan en Wahnsahpw likin Mehn Sak
- Kasansaladahn Mesihn en Rukoahdi Wahnsahpw (Mahi, Mwahng) ohng wiawihdahn Pilawa amas oh Mehn Kaweid Kesempwal teikan.
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# Congress confirms Robert as Nation's top diplomat

September 23, 2015

**PALIKIR, POHNPEI** – The 19th Congress of the Federated States of Micronesia has confirmed the President's nomination of Lorin S. Robert as the head of the Department of Foreign Affairs.

In its second week of its Second Regular Session, the Congress adopted Congressional Resolution (CR) 19-102 to maintain Robert in his role as the Secretary of the Department of Foreign Affairs and CR 19-91, for Samson K. Pretrick to remain Deputy Secretary of the department. Also from the Department of Foreign Affairs, the Congress adopted CR 19-87, to confirm Carl D. Apis to serve as the FSM's Ambassador to the People's Republic of China and CR 19-101, for Wilson F. Wagus to serve as the Deputy Chief of Mission for the FSM Embassy in Fiji.

In addition to heads of the Department of Foreign Affairs, the Congress through CR 19-74 confirmed Ginger Virginia Porter Mida as the Nation's Post Master General. For the Office of National Elections, CR 19-90 confirmed Tony H. Otto as the National Elections Director. And finally through CR 19-99, Lorrie Johnson-Asher, Esq. was confirmed to head the Nation's Office of Public Defender as the Chief Public Defender.

The confirmed nominations complete the majority of departments and agencies of the national government, with the exception of the Secretary for the Department of Health and Social Affairs whose nomination has yet to reach Congress. The nomination of Nakama Sana for the Chief FSM Public Auditor was twice defeated, therefore the position remains vacant along with that of the Department of H&SA.

Members of several Boards were also confirmed during this week and they included the FSM MiCare Board of Directors for which the Congress through CR 19-100, confirmed Julie R. Yoruw as the State of Yap's representative and CR 19-103, for Dr. Elizabeth Iehsi Keller as the representative of the State of Pohnpei.

The Board of Directors for the National Oceanic Resource Management Authority (NORMA) also received the nod from the Congress through the confirmation of CR 19-110, for Churchill B. Edward as the National Government representative and CR 19-112, for Peter Garamfel to be the State of Yap representative on the Board.

Mathew Yamada Chigiya, through CR 19-111, was confirmed to be the National Government's representative on the FSM Social Security Administration Board of Directors.

The remaining nominations for other boards and especially the overseas Missions will be taken up when the Congress reconvenes on Sunday. The Congress is currently recessed until September 27, to allow the Committee on Ways and Means to consolidate the national government budget for fiscal year 2016.

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**POSITION ANNOUNCEMENT 2015-001**  
It is the policy of the FSM Development bank that FSM citizens be given first priority for employment consideration with other Micronesians, U.S. citizens, and other nationals utilized in positions for which no qualified citizens are available.

**POSITION: Chief Financial Officer (CFO)**

**LOCATION: FSM Development Bank, Headquarters in Kolonia, Pohnpei FSM**

**SALARY:** \$26,852.80 minimum per annum, Higher Salary may be Considered Depending on Qualification

background in Economics and other related fields are a plus. A Certified Public Accountant (CPA) may be preferred but not required.

**REPORTS TO:** President/CEO

**SUMMARY:** Serves as the Secretary/Treasurer of the Bank. Directs the Bank's financial planning, investments, accounting practices and information systems. Assigns, directs, coordinates and keeps adequate and accurate accounts of properties and business transactions of the Bank, prepares budget requests, allocate funds, control expenditures and prepares the Bank's annual report and other financial and loan reports as required.

**LANGUAGE SKILLS:** Ability to read, analyze, and interpret common technical journals, financial reports, and official business documents. Ability to respond to common inquiries or complaints from customers, government agencies, or members of the business community and other stakeholders. Ability to effectively present information to top management, boards of directors, and public groups.

**GENERAL DUTIES AND RESPONSIBILITIES** (illustrative only) include the following. Other duties may be assigned.

**ACCOUNTING/BUSINESS SKILLS:** Ability to apply advanced business/accounting concepts such as generally accepted accounting principles in a banking environment, cost-benefit analyses, forecasting and net present value calculations. Ability to apply mathematical operations to such tasks as frequency distribution, determination of test reliability and validity, analysis of variance, correlation techniques, sampling theory, and factor analysis. Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to effectively manage and supervise other employees.

1. Assigns, directs and supervises all financial and accounting activities including but not limited to custodian of funds, securities, and assets of the Bank.
2. Oversees the investment of excess funds for the Bank within policies, procedures and strategies approved by President/CEO and the Board of Directors.
3. Prepares the annual financial statements for submission to external auditors.
4. Responsible for the preparation and management of the operational budget.
5. Recommends and/or initiates changes in the accounting, investment and lending policies of the Bank.
6. Participates in the deliberation of credit committee of the Bank.
7. Oversees the training and development of the accounting staff.
8. Supervises the Bank's cash and liquidity positions.
9. Supervises the Bank's computer information system and other financial and accounting support software programs.
10. Responsible for asset/liability management.
11. Responsible for relevant tax reporting and payments.
12. Performs other duties and responsibilities as assigned by the President/CEO of the Bank.

**PHYSICAL DEMANDS:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is occasionally required to stand, walk, sit, and talk or hear. The employee may occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include ability to read volumes of text and data.

**SUPERVISORY ABILITIES:** Ability to direct the activities of various managers and staff members on a daily basis is required.

**WORK ENVIRONMENT:** The noise level in the work area is typically that of a moderately quiet office environment.

**QUALIFICATION REQUIREMENTS:** To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or ability required. Reasonable accommodations may be made to enable individual with disabilities to perform the essential functions.

**FILING INSTRUCTIONS:**

All applications, curriculum vitae, and at least three letters of reference shall be completed and submitted to: The FSMDB Corporate Office in Kolonia, Pohnpei with mailing address as follows: FSMDB Headquarters, P.O. Box M, Kolonia, Pohnpei FM 96941 by mail; by fax to 320-2842 or in person at the FSM Development Bank's Corporate Office in Kolonia, Pohnpei on or before November 02, 2015. Or by email to the HR & Facilities Manager, via email address: loverh@fsmdb.fm

**EDUCATION and/or EXPERIENCE:** Bachelor's degree in Accounting and Business Administration from a recognized four year college or university with at least (5) five years of related supervisory or managerial work experience. Additional

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## Skull, bones, and DNA help reveal genetic groups in Kosrae 300 years ago

*Adam Thompson*

A 300-year old gravesite that was destroyed by local Kosraean landowners while mining sand has revealed new findings about the history of Kosrae. Ancient DNA obtained from human bones salvaged from the destroyed grave showed that two distinct genetic groups lived on the island together 300 years ago. Few ancient genetic studies have been performed in Micronesia due to a lack of archaeological material making these findings all the more valuable.

to be more common in Micronesia while the haplotype group B4a is more closely associated with Polynesia. The presence of both genetic types within the grave shows that multiple migrations to Kosrae had occurred prior to 300 years ago.

These findings may provide physical evidence for an explanation of the myths within Kosrae that tell of the arrival of giants. The myth of Niwa tells how giants came to the island and scared away the people that were living there before but that Niwa remained on the island. A similar myth is told for the island of Atafu in Tokelau where the original inhabitants of the island were scared away but no one remained. On Atafu, genetic studies have found that the

island was inhabited by people of the genetic group B4b from 300-600 years ago but were replaced by a separate group of people of the B4a type 300 years ago at the same time as the grave found on Kosrae. The earliest dates for the settlement of the Polynesian outliers of Kapingamarangi and Nukuoro are also around this time. Thus it appears that a wave of Polynesian migration moved northwest taking over Tokelau, settling Kapingamarangi and Nukuoro, and co-habiting with the people of Kosrae.

The ancient grave on Kosrae was found at Yekula and is closely associated with the worship of Sinlaku and the ancient religion.



The genetic haplotype group B4b is believed

# New direction and leadership for the Micronesia Conservation Trust (MCT)

The Micronesia Conservation Trust Board and management staff met in Guam at the Ernst & Young Office from September 23-25, 2015 to adopt a new 3 year (2016-2018) Strategic Action Plan for the organization and to organize its Board of Trustees. The organization, which was established in 2002 to support local, national and regional programs for biodiversity conservation, climate change adaptation and sustainable development for the people of Micronesia, adopted a new vision "Enduring partnerships that conserve our land and sea to improve quality of life for communities across Micronesia" and will focus on three main impact areas including Conservation, Climate Resilience and Sustainable Livelihoods. Outgoing Board Chairman, Mr. Kembo Mida, Esq., stated "MCT strives to be a world class organization, that is truly Micronesia". This basically represents that the MCT Board and management work hard to meet the requirements of international donors in order to bring more financial and technical resources to the region, while maintaining its ability to prioritize and focus on the needs and aspirations of local communities by making its programs highly accessible to them.



At the meeting, the Board and the senior management team, William Kostka, Executive Director, Lisa Andon, Deputy Executive Director, and Meileen Albert, Finance Officer, were able to finalize MCT's 2014 annual audit with Ernst & Young, as well as receiving an update on MCT's investment portfolio from Jason Miyashita and Maree Pelkey of the Asia Pacific Group of Raymond James.

During its three day meeting, the Board also welcomed three new Trustees, including former Lt. Governor Diego Benavente of the Commonwealth of the Northern Marianas Islands, Mr. Haser Hainrick, current Public Auditor for the Federated States of Micronesia, and Mr. Julian Aguon Esq., a private lawyer in Guam whose practice focuses on international and regional human rights laws.

The Board and staff also bid farewell to two of its greatest leaders who had each served two full terms over the past six years. Mr. Kembo Mida, who had served as Chairman for the past two years, and Mrs. Denise Adams Boylan, representing the private sector, who served as the organization's Board Treasurer. They leave the organization in the capable hands of the new leadership of Chairwoman Doreen deBrum, Assistant Secretary for the Ministry of Foreign Affairs for the Republic of the Marshall Islands, Vice Chairman Elbuchel Sadang, Minister for the Ministry of Finance for the Republic of Palau, Mr. Jared Morris, CEO of the FSM Petroleum Corporation/Vital as Secretary and Mr. Haser Hainrick as Treasurer.

The MCT Board of Trustees has four standing committees which include the Governance Committee, Chaired by Trina Leberer, the new Director of The Nature Conservancy's Pacific Program. Members of the Governance Committee include Julian Aguon and Doreen Debrum. The Finance, Audit and Investment Committee is Chaired by the new Board Treasurer Haser Hainrick, with Finance Minister Elbuchel Sadang, and International Trustee Megumi Araki, currently with Japan's Association for the Promotion of International Cooperation and formerly with the Asian Development Bank. The Partnership and Development Committee is Chaired by Carlotta Leon Guerrero, formerly the President of the Association of Pacific Island Legislatures while serving in the Guam Legislature and currently with the Ayuda Foundation, a humanitarian organization in Guam who has been very active in the Maysak and Saudeleur typhoon recovery efforts in Chuuk, Yap and the CNMI. Diego Benavente and International Trustee Dan Martin, formerly with the MacArthur Foundation and based in Washington DC, are the members

of this committee. And finally, the Technical Committee, which is currently chaired by Jared Morris with Trina Leberer as member. MCT's Technical Committee is the only committee which includes non-Board member scientists, community experts, and academics etc. to assist MCT with its grant-making and capacity building programs.

"Along with its numerous community development programs, MCT was selected in 2006 by the Presidents and Governors of the Micronesia Governments and the Global Environment Facility-United Nations Environment Programme, The Nature Conservancy and Conservation International to serve as the financial mechanism for the Micronesia Challenge Endowment Fund(www.micronesiachallenge.org). We now manage an ~\$18,000,000 endowment for the Micronesia Challenge. The Board and management take this responsibility very seriously and have made sure over the years to have appropriate leadership, systems and processes in place in order to assist the Micronesia Governments succeed in delivering on this initiative, which they made as part of their commitments to the United Nations Convention on Biological Diversity and their gift to the world", says Chairwoman Doreen deBrum.



Petro Corp donated \$500 to the Pohnpei Library in June. Thanks to Vital Petro Corp. and the Pohnpei Fishing Club for their continued support.

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# Fishermen bag big marlin in Blue Nile Tournament

September 26, 2015

**Pohnpei, FSM**—The weather was fine for some good fishing for the Blue Nile fishing tournament. Lots of marlin and marlin strikes were had.

The top five prizes for the tournament were all marlin.

The tournament attracted several sponsors who provided prizes. Those sponsors were Blue Nile, Wstco, Ambros Guam, Micronesia Brokers, Inc., Dickerson & Quin, Coral Reef, Titan Imports, Nihon Tekkan, Elohim, NBK USA, Kyowa Shoji, and RCV.

The format was big fish. There was tight competition for the biggest fish.

- |                   |   |              |
|-------------------|---|--------------|
| 1.                | R/T ticket to Guam, \$500.00 cash and a 4 liter bottle of Chivas. |              |
| Joe Certeza       | Happiest Hooker   | 190.1 marlin |
| 2.                | \$500.00 cash and a 4 liter bottle of Chivas                      |              |
| Mary Tretzoff     | Miss Yirwor   | 189.8 marlin |
| 3.                | \$400.00 cash and a 2.0 liter bottle of Chivas                    |              |
| Andy Musrasrik    | Miss Cupid  | 158.4 marlin |
| 4.                | \$300.00 cash and a 2.0 liter bottle of Chivas                    |              |
| Augustine Kohler  |   | 118.0 marlin |
| 5.                | \$250.00 cash   |              |
| Dr. Johnny Hedson | Splash  | 105.8 marlin |

There were also prizes for the biggest fish in five species.

- |    |                 |                 |
|----|-----------------|-----------------|
| 1. | 69.1 Yellow fin | Valentina Bit   |
| 2. | 28.9 Wahoo      | Augustin Kohler |
| 3. | 16.1 Skip Jack  | Welber David    |
| 4. | 18.3 Barracuda  | Marla Hawley    |
|    | 18.3 Blue Fin   | Oley Fred       |
| 5. | 17.2 Mahi Mahi  | Englbert Perman |

Each winner received \$200.00 cash, except for barracuda. Since there was a tie, they each received \$100.00.

We also had prizes for Lady Angler and Junior Angler.

- |             |                              |
|-------------|------------------------------|
| Lady Angler |                              |
| \$125.00    | Valentina Bit 88.9 Marlin    |
| \$75.00     | Nanette Apis 42.5 Yellow Fin |
| \$50.00     | Arleen David 23.8 Yellow Fin |

- |          |                             |
|----------|-----------------------------|
| Junior   |                             |
| \$125.00 | Dane Nighswander 18.1 Wahoo |
| \$ 75.00 | Daniel Mix 17.6 Wahoo       |
| \$ 50.00 | Kaivon Sohl 7.5 Skipjack    |

Each boat also received a case of Bud courtesy of Ambros, Inc. Everyone went home a winner.

Pohnpei Fishing Club members thank everyone who helped out including Bill, Paul, Tina, Cel, Uta and all of Kumer's guys. Melner and Ongrina also donated fruit baskets.

The club also did a special fundraiser to assist long time club member Alison McConnell to pay for some medical care. Thanks to everyone's generosity the club raised \$651.00 from hot dog sales, a raffle and donations.

It was a good tournament and some of the participants were still celebrating into the late hours.

Coming up on October 10 is a kid's tournament sponsored by Ace Hardware. The 20th Annual True Value Tournament will be held on October 17.



## Expressions

If you can finish this puzzle quickly, you can **DECLARE** yourself a master word search solver. Each word below refers to a mode or manner of expression. We won't take up any more of your time with our **BANTER**; we'll just let you get right to the solving

- |          |         |        |           |       |
|----------|---------|--------|-----------|-------|
| AFFECT   | CHAT    | EVOKE  | MIMIC     | SAY   |
| ANNOUNCE | CHORUS  | EXCUSE | NOTE      | SNEER |
| ASSERT   | DE-     | FIB    | ORATE     | SPEAK |
| BABBLE   | CLARE   | GREET  | PAGE      | SWEAR |
| BANTER   | DELIVER | HERALD | PROMISE   | TALK  |
| BECKON   | DEMAND  | INDITE | QUIP      | TELL  |
| BID      | DENY    | INSIST | QUOTE     | UTTER |
| BLURT    | DICTATE | INVOKE | REFER     | VOICE |
| BROACH   | ECHO    | JIVE   | REITERATE | WARN  |
|          |         |        |           | YARN  |





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**EMBASSY OF AUSTRALIA – POHNPEI  
POSITION VACANT  
SENIOR AID PROGRAM MANAGER**

In this interesting position, the Embassy is seeking applications from suitably qualified persons to apply for the position of SENIOR AID PROGRAM MANAGER.

Australian Aid's summary objective is to help people overcome poverty by promoting regional stability and prosperity.

Short description of the position includes:

- To effectively design, implement, monitor and evaluate the Australia's aid delivery across Micronesia.
- Engage with relevant Governments, key stakeholders and counterparts to understand policy, priorities, strategic direction on development priorities to formulate and implement the development cooperation programs.
- Supervise the Assistant Aid Program Officer and contribute to the Embassy's public diplomacy strategy.

The applicants should have a solid experience in project management and implementation, with strong organizational administrative skills. High-quality communication and writing skills and sound computer skills are required. Relevant tertiary qualifications and experience in working in a multicultural environment will be highly regarded.

The successful applicant will be expected to undertake regional travel.

An attractive salary package commensurate with qualifications will be negotiated with the successful applicant.

Application packages are available at the Embassy

Contact: 320 5448

Email [eliza.woolcock@dfat.gov.au](mailto:eliza.woolcock@dfat.gov.au)

or download from <http://www.fsm.embassy.gov.au>

Application closing date is Tuesday 20 October 2015

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# Yap State strengthens emergency operation centre management

Secretariat of the Pacific Community  
European Union

7 October 2015

**Colonia, Yap** – As part of ongoing improvements to disaster response in the Federated States of Micronesia, emergency operations centre (EOC) management training has commenced in Yap state this week.

The EOC training, supported by the European Union's Building Safety and Resilience in the Pacific Project, and implemented in partnership with the Secretariat of the Pacific Community (SPC), is a capacity building initiative to improve the response to natural disasters such as Typhoon Maysak which devastated the country in early 2015.

Yap State Disaster Coordinating Officer Maria Laaw, stated that Typhoon Maysak exposed a number of areas that needed strengthening, one of which is the emergency operations centre management.

At present, there is no Standard Operating Procedure to assist in the management of the emergency operation centre which posed a great challenge during Typhoon Maysak response operations.

The training was facilitated by two regional trainers provided by the Fiji Government and SPC.

Follow-up support will be carried out on the development of an EOC Standard Operating Procedure which will encompass the training contents and will be available to be used in response to future emergencies.

The training will conclude on Friday 9th October, 2015, with a simulation exercise.

The emergency operation centre management training will also be conducted in Chuuk State from 12-16 October, 2015.

# Center for Entrepreneurship opens

COM-FSM

September 22, 2015

**Palikir, Pohnpei**– The College officially opened the Center for Entrepreneurship with a ribbon cutting ceremony at the Colleges National Campus.

Present at the ceremony was former FSM President and now Executive Director for Institutional Advancement Office of the College Mr. Emanuel Mori, Secretary of Education Mr. Kalwin Kephos, Chairman and President of the Micronesia Registration Advisory (MRA) Mr. Steve Baker, COM-FSM Regent Kasio Mida, faculty, staff, and students.

The center was established in August 2014 through a grant from MRA. The center is open for students and faculty to create and grow innovative ideas. Students and faculty may use the space within the center to gather, work on plans for business or social entrepreneurial ventures, and take advantage of courses and services provided by the Center.

To find out more about the Center or to learn how you can get involved, contact the Center's Executive Director, Mason Wiley, [atmwiley@comfsm.fm](mailto:atmwiley@comfsm.fm) or +691-320-2480 ext. 120



Do you note?

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# Education Corner: Richard Womack, Ed.D

The EC readers have some class work rather than homework so please do read carefully and participate today

## Little Willy's Evidence

Look at Little Willy's math problems. Look the problems over, correct them and then make some comment on Little Willy's work. How did he do? What has Little Willy learned? Just comment about what you see here. Look carefully.

1)  $2+2=4$     2)  $3+3=6$     3)  $2+4=7$   
4)  $4+4=8$     5)  $1+2=3$

Comment: \_\_\_\_\_

If you are like most readers, you will see there are certain things you can say about Little Willy and these problems. You could say "Little Willy is doing addition." That would be true. You might go further and say "Little Willy is doing simple addition problems" and that is also true. You might also say "Little Willy is doing simple addition problems using one digit numbers" and that would be good and very true as well. However, if you are like most people you probably looked at Little Willy's problems and then said "Hey, Little Willy missed #3.  $2+4$  is 6 not 7." If you saw this, you likely said this right away and, of course, you are correct.  $2+4$  does not equal 7. Some people (most) are actually happy when they see this obvious mistake. They report that they thought the mistake was accidental and they like to find mistakes. They say they like to find out when something is wrong and point

the error out. Students say they "feel smart" when they find mistakes made in books or by their teachers. We could also ask how we should mark Little Willy's paper. Some of you might say "Get a red pen and mark that #3 wrong." Let's let Little Willy know right away that #3 is incorrect—#3 is wrong. Yes, that would certainly show Willy that one was wrong—#3. A big red mark—an **X**. Finding out what is not correct is important but it is not everything.

Let's stop and think for just one moment. You could have said "Hey Little Willy got #1, #2, #4 and #5 correct." You could have looked at the problems and said "Four problems are correct." That is an equally correct answer, Right? Of course, it is true and correct but somehow to say four are correct does not seem as important as the idea that one was wrong. Think about four out of five being correct. That certainly is not bad. If you are playing baseball and you go to bat five times and get four hits—that's .800 or eight-hundred as baseball players call it. If you are playing basketball and you make four out of five in shooting that is 80% (the same as .800). And 80% in basketball is quite good even great. And all students know that 80% is usually a B or B- and that's pretty good. So maybe we could have looked at little Willy's paper and said "This is quite good Willy got four correct and only one incorrect. I think I will put four big **C's** next to #1 #2 #4 and #5. We look to correct the paper with numbers or quantitatively. In education we measure this way—quantitatively. If we measure with words—like Little Willy did good, poor or

bad that is called qualitative assessment and words like these are not how we measure. Good, average and poor does not give us evidence where 90%, 70% or 50% gives us better evidence.

This is just a little activity to get you thinking about this idea of assessing or evaluating or even grading. The mistake was made on purpose. It was made to show you that perhaps we all look for or zero in on the negative first and maybe that is not always the best way to see assessment and evaluation. The mistake was made so that you might think about assessment, evaluation and grading as seeing what is right or correct as well as what is wrong or incorrect. Second, the mistake was made so that you had something to correct and improve for Little Willy's paper for next time. We are happy for Willy and his 80%, but we cannot ignore the fact that Little Willy somehow believes that  $2+4=7$ . We must help little Willy, and in this case it is very easy. "Hey Little Willy," you might say. "Next time you see  $2+4$ , make two marks and then four marks on your scratch paper—then count them up. You will have six." Or "Little Willy, next time put up two fingers on one hand and four fingers on the other. Use your nose to count them and you will see that  $2+4=6$ ." We want beginning teachers to think this way. We want a parent to look at what is right AND what is not right. Then, we want you to look at all this through the "eyes of improvement." We know that if you look at evidence as how to improve teaching and learning you will be better for

this. If there is something incorrect—what must we do to make it correct? If Little Willy misses lots of problems, like four out of five, then somehow we must say—can the teacher do something better? Can the teacher do better if he uses some manipulatives or rocks or marbles? Results of tests and scores that represent learning are far too often used for ranking students and schools or used to criticize teachers and the schools. When results are not good, the first thing we must say is—how can we improve this? This year EC will discuss some test scores of Pohnpei students. No one will be happy with the scores but if we think improvement we will not be discouraged. And EC will offer some ways to improve teaching so we can get about improving student learning. Student learning can always be improved. Evidence will show us some areas needs lots of improvement other areas not as much. But think improvement!

Lastly, how would you say Little Willy did—qualitatively (with words)? If you know Little Willy is in the first grade, you probably say he did pretty well or not too bad. If the student is called Little Willy because he is a short 12th grader, you might say not too well or pretty bad. This is because adding these simple numbers are first-grade benchmarks and not 12th. Either way, Little Willy gets 4 out of 5 or 80%—which is the quantitative answer but the fact that it represents a 1st grade benchmark is very important—so words do have a place here.

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