



The National Union

Peace Unity Liberty

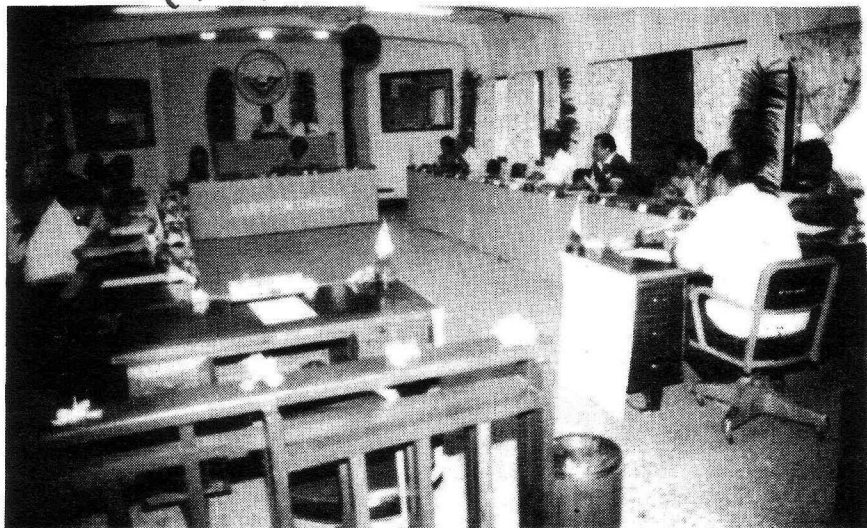
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(V. 8)



FOURTH CONGRESS IN FINAL SESSION - The Fourth FSM Congress is convening March 30 in Pohnpei its fifth and final special session before the next Congress is seated May 11. From left, clockwise, are Senator Isaac Figir, Yap; Senator Elias Thomas, Pohnpei; Floor Leader John Haglegam, Yap; Page Adora Weital; Journal Clerk Sue Ann Schadeck; Speaker Bethwel Henry, Pohnpei; Chief Clerk Henry Asugar; the Rev. Rufus David; Page Rinda Siales; Vice Speaker Joab Sigrah, Kosrae; Senator Pedro Harris, Pohnpei; Senator Kalisto Refalopei, Truk; Senator Claude Phillip, Kosrae; Senator Tony Otto, Truk, and Senator Nick Bossy, Truk.



PRESIDENT IN PINGELAP - FSM President Tosiwo Nakayama, left, is speaking during the March 28 state visit to Pingelap Atoll with his Special Assistant, leske lehsi, serving as his translator.

President visits Mokil, Pingelap

KOLONIA, Pohnpei - President Tosiwo Nakayama commended the residents of Mokil during the March 27 dedication of their airstrip and Pingelap during the March 28 visit for their contributions to development of the FSM.

The trip by field trip ship to the two eastern atolls of Pohnpei state with Gov. and Mrs. Resio Moses and Legislature Speaker Ambros Senda completed the President's tour of all but two inhabited islands of the FSM, since he took office in 1979.

The party left Pohnpei on March 26

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Congress okays accord with Marshalls

KOLONIA, Pohnpei - The Fourth FSM Congress ratified an agreement with the Marshall Islands on dividing U.S. education transition funding under the Compact of Free Association, during its Fifth Special Session which was adjourned April 5, ahead of schedule.

A 10-day session was called March 19 by President Tosiwo Nakayama to consider a wide range of measures pending before his and the Fourth Congress terms end in May. It began March 30 and was scheduled to continue through April 10.

The Fifth Congress is scheduled to convene May 11 its 30-day First Regular Session.

The Fourth Congress voted to override the veto March 5 by the President of an act to lower the interest ceiling from 12 to 5 per cent for FSM Development Bank Loans. It also

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Inside....

FSM Supreme Court to hear Pohnpei vote challenge April 20

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Workshop held on managing reduced funds

KOLONIA, Pohnpei - State and national government officials received training during a March 23-27 workshop here on administering U.S. education funds which will be reduced during the first three year of free association under the Compact which was implemented Nov. 3, according to FSM Education Director Daro Weital.

The FSM is scheduled to receive \$9,-282,000 in 1987, \$6,211,800 in 1988 and \$3,070,200 in 1989 under an agreement with the Marshall Islands to divide U.S. education transition funds during the first three years of the Compact.

The education transition funding agreement was signed Feb. 27 in Honolulu by FSM External Affairs Secretary Andon Amaraich and Marshalls Foreign Affairs Minister Charles T. Domnick, during a pre-summit meeting on the College of Micronesia's future.

It was ratified April 4 by the Fourth FSM Congress during its Fifth Special session.

The agreement gives the FSM a 71.4 per cent share and the Marshalls 28.6 per cent, based on population, of the three-year transition funding for education programs which will be phased down from \$13 million in fiscal 1987 to \$8.7 million in 1988 and \$4.3 million in 1989, according to Weital.

The FSM also is scheduled to receive \$7 million of a \$12 million annual block grant shared with the Marshalls during the 15 years of the Compact for health and education programs, he said, adding that most of the funds are to go to education.

The workshop was conducted in the Kolonia Town Hall, President's Conference Room and FSM Education Office by Dr. Ron Davis and Ben Rice of the U.S. Education Department to prepare state and national education officials who will be receiving for the first time direct U.S. education funding which previously was provided through the Trust Territory government.

Davis and Rice are directors of funding programs for Supplemental Assistance to Educational Disadvantaged Children which will provide the transition funds, Weital said.

The transition funding, which is scheduled to begin July 1, will replace many of the programs which were terminated Dec. 31, due to implementing the Compact.

The "local education agencies" in the states are to submit by May 1 operational plans for using the transition funds to the FSM Education Office which is designated the "state education agency" for U.S. education funding.

The FSM Education Office is to submit by June 10 to the U.S. Education Department its "insular area consolidated grant application" for fiscal 1987, according to Weital.

Participants in the workshop were: Masa-Aki Emeschiol, Palau; Tony Jetnil, Cathy Relang and another education official, Marshalls; Program Development and Resources Administrator Weldis Welley, Federal Education Programs Specialist Yosiro Suta, Testing and Evaluation Coordinator Burnis Danis, Administrative Officer Linda Phillip and Education Adviser Stuart Arno, FSM Education Office; Status Commission Legal Counsel Greg Swartz, and Brigida Edger, FSM Budget Office.

Also, Federal Programs Coordinator Jimmy Hicks, Acting Special Education Coordinator Wilsin Kephas and State Senator Josaiah Simons, Kosrae; Administrative Management and Support Services Administrator Sabastian Anafal and Supplemental Assistance to Educational Disadvantaged Children Chapter I and II Coordinator Andrew Gubung, Yap; State Education Director Marcelino Umwech, Federal Programs and Personnel Training Manager Manuel Sam, Chapter I and II Coordinator Walter Tim and Special Education Coordinator Edny Matthews, Truk, and Education Director Damian Sohl, Chapter I and II Coordinator Rodrigo Mauricio and Special Education Coordinator Kephas Edgar, Pohnpei.

Congress approves national broadcast resolution

(Continued from Page 1)

approved nine bills and five resolutions, during what is expected to be its final session.

In addition to ratifying the education transition funding agreement, it approved a resolution, CR 4-73 introduced by Senator Elias Thomas of Pohnpei, calling for the next FSM President and Congress Speaker to form a task force to establish a national radio broadcasting station.

The Health, Education and Social Affairs Committee report on the proposed national broadcast station said that while awaiting the election of the new President and Speaker by the next Congress, "appropriate officials of the government should begin the planning and analysis necessary to determine whether a national radio broadcasting station is feasible and advisable."

A proposal for a national broadcast station is included in the FSM Five-Year Development Plan to be established in conjunction with the new national capitol being constructed in Palikir.

Other resolutions include: CR 4-168 asking the FSM External Affairs Department to negotiate 30-day visa waivers for FSM citizens visiting other Asian and Pacific

nations; CR 4-171 approving fiscal 1987 Aging Program grant applications for supportive services, training and employment, and CR 4-172 approving the fiscal 1987 Vocational Rehabilitation Services State Plan.

The education transition funding agreement was signed Feb. 27 in Honolulu by FSM External Affairs Secretary Andon Amaraich and Marshalls Foreign Affairs Minister Charles T. Domnick, during a pre-summit meeting on the College of Micronesia's future. During the meeting, the FSM and Marshalls formally exchanged diplomatic notes for the first time since the Compacts were implemented last year.

The agreement, ratified by CR 4-166, gives the FSM a 71.4 per cent share and the Marshalls 28.6 per cent, based on population, of the three-year transition funding for education programs which will be phased down from \$13 million in fiscal 1987 to \$8.7 million in fiscal 1988 and \$4.3 million in fiscal 1989, according to FSM Education Director Daro Weital.

The Congress defeated CB 4-357 which would require that all national government real, personal or mixed property given to an FSM state would be for lease use by the state and deferred CB 4-346 which would

prohibit funding of construction projects on land not owned by national and state governments nor leased for the useful life of the facilities.

It approved CB 4-411 to amend the FSM Code changing previous references to the Trust Territory and U.S. governments to the Federated States and its officials to be consistent with the new free association political status attained with the Compact was implemented Nov. 3.

Other bills approved include:

- CB 4-333, authorizing the President to set and collect fees for "peddlers' permits" sold to travelling salesmen coming to the FSM.

- CB 4-417, requiring nonresident workers to leave the FSM before being permitted to begin employment with an employer different than their previous employer.

- CB 4-418, amending fiscal 1987 Pohnpei public projects funding to include a Mwudok Village project.

- CB 4-414, amending 1987 Yap public projects funding to change the purpose of the Plaw Village appropriation.

- CB 4-422, amending 1987 Truk public projects funding to change the purpose of the Nechap appropriation.

- CB 4-423, reallocating 1987 Faichuk public projects funding in Truk.

- CB 4-425, amending funds for the Kosrae State Improvement Project Commission.

- CB 4-424, correcting spelling and other errors in the FSM Code.

National Election Commissioner denies recount request

FSM court sets April 20 vote challenge hearing

KOLONIA, Pohnpei - A three-judge panel is scheduled to hear April 20 an appeal by Vice President Bailey Olter of the decision by the National Election Commissioner here against recounting the March 3 ballots for the Pohnpei at-large FSM Congress seat, according to FSM Supreme Court officials.

FSM Postmaster General Leo A. Falcam is the winner over Olter by 14 votes out of more than 10,000 cast in the official results certified March 18 by National Election Commissioner for the state Heinrich Stevenson.

Olter filed April 8 an appeal to overturn the National Election Commissioner's April 3 decision, asking the FSM Supreme Court to order a recount, while disallowing seven ballots, five for Falcam and two for him, cast by confined patients in the Pohnpei State Hospital and allowing 18 absentee ballots from Hawaii which were mailed four days before the elections.

The procedural dates for the appeal were set April 6 in a scheduling conference held by FSM Chief Justice Edward King with Olter's attorney, David Nevitt of Saipan; Falcam's attorney Fred Ramp of Pohnpei, and FSM Attorney General Carl Ullman.

The FSM high court Appellate Division is scheduled to hear oral arguments April 20 with King, Associate Justice Richard Benson and Pohnpei Supreme Court Chief Justice Edwel Santos, as designated justice, sitting as the three-judge panel.

The written responses to the appeal are due on April 13 and reply briefs on April 16, FSM court officials said.

The outcome will help determine who will be the next FSM President and Vice President, as they will be elected by the Fifth Congress, after it convenes here May 11, from among the four at-large Congress members.

In his decision denying Olter's March 17 petition for a recount, Stevenson said, "I find that there is no substantial question of fraud or error and that there is no substantial possibility that the outcome of the election would be affected by a recount."

The Election Commissioner certified in a March 18 letter to President Tosiwo Nakayama the official vote count in the race for the four-year seat as: Falcam, 4,045; Olter, 4,031, and Congress Speaker Bethwel Henry, 1,960.

The Vice President submitted March 17 to the Election Commissioner a petition for a recount, citing 11 counts, including alleged discrepancies in the

tally procedures to justify a new count.

Falcam filed March 24 a response, opposing a recount, stating that Olter failed to prove fraud or error in the original count as required by law.

In his decision, the Election Commissioner concurred with Falcam that the closeness of the election "does not point to fraud or error necessary to justify a recount.

"My confidence in the balloting and tabulating process is such that the mere closeness of the voting does not convince me that errors occurred that would result in a substantial possibility of a different result after a recount," Stevenson said.

He also rejected Olter's argument that a recount would provide more reliable results, stating that "I do not find that more reliability is needed since the initial tabulation was accurate."

Stevenson said that Olter's claim that the vote count of 47 for Falcam and 37 for him in Nansaloi, Madolenihmw, was transposed, due to a petition signed by 47 voters who said they voted for the Vice President was disproven by the video tape of the counting which confirmed the original count.

He said that 18 absentee ballots from Honolulu arrived too late and the voters were correctly instructed about the deadline, that six votes added after the counting were legitimately cast and counted, that the "two for three" mechanism for verifying vote totals proved to be accurate and that one non-FSM citizen voted, but "there is no indication that more than one vote is involved and I find no substantial possibility that the outcome of the election was affected or would change with a recount."

FSMTC offers FM broadcasting

KOLONIA, Pohnpei - National FM radio broadcasting for public information and other communications could be among the new services offered by the FSM Telecommunications Corp. in conjunction with its \$40 million expansion program, according to FSMTC General Manager Fred Stout.

The five-year \$40 million development program, beginning with interim direct distance dialing exchanges to be installed this year in Pohnpei and Moen, will include 24 new exchanges, a microwave link to three Truk Lagoon islands and satellite links to 21 outer islands.

The FM radio service was proposed Dec. 17 to the FSM Chief Executives as an economical and technically feasible alternative to shortwave broadcasting service in response to a proposal in the National Development Plan to establish a national broadcast station at the new FSM capitol being constructed in Palikir here.

The FSM Congress approved a resolution to form a task force to establish a national radio broadcasting station, during its March 30-April 5 special session here.

"If we had a commitment right now, we could include it in our telephone expansion at very little cost," Stout said, noting that it would cost

more to add the FM transmission equipment, after the expansion program is completed.

FSMTC proposed installing low power solid-state FM transmitters in each state to be served via satellite from the centrally located national government studio in Pohnpei at the preliminary estimated cost of \$95,000 a year to lease the 5KHz channels to the four state centers. The cost does not include equipment and staffing for the central FSM studio.

"The same audio program material could also be sent to each state's existing AM facility so that selected parts could be broadcast through AM transmitters," he said.

In addition, plug-in modules and solid-state transmitters could be installed on each of the outer islands satellite stations to enhance FM broadcasting at the estimated additional cost of about \$300,000 a year.

The FM equipment would be fully maintained by FSMTC, Stout said.

Shortwave broadcasting to cover the FSM would require a 100 kilowatt transmitter which would cost an estimated \$200,000 for power and a staff of 10 technicians to tune the transmitters and operate the station at the cost of at least \$100,000 a year, in addition to 10-15 acres of land for buildings and antennas, he said.

Pepper will contribute to development, Moses

KOLONIA, Pohnpei - Pepper farming will contribute to state and FSM development, Gov. Resio Moses said during the opening session April 6 of the Pohnpei Black Pepper Production and Processing Improvement Workshop at the State Agriculture Station.

Sixty-one farmers and 17 State Agriculture personnel completed the workshop which was sponsored by the College of Micronesia (COM) College of Tropical Agriculture and Sciences (CTAS) in cooperation with the Pohnpei Conservation and Resource Surveillance Department to launch its 10-year \$5 million Pepper Development Plan.

"The state is ready to direct its efforts to develop pepper as a major cash crop to earn foreign exchange and increase the employment of our people," Moses said.

"We've assigned top priority to pepper development and we aim at large

scale production," the governor said, referring to the plan to develop 500 acres of commercial black pepper production, including 350 acres in the private sector.

Moses cited "the need for participants to help me lobby our legislature to expedite funding for pepper development and production."

He said, "The expenditure during the first year will be about \$460,000...(to) cover expenses of development of 37 acres and other infrastructure required to support the pepper development program."

The project is expected to be funded by the legislature as priority development project under the five-year state development plan which was approved March 18 by the Pohnpei State Legislature, officials said.

Because the success of the project depends on the farmers, Moses said, "It

is therefore incumbent on all concerned to regard pepper farming as his or her contribution towards development of the FSM, Pohnpei in particular."

CTAS Director Ishmael Lebehn and C&RS Director Kikuo Apis also addressed the opening session.

The workshop continued through April 10 with presentations by State Economic Adviser Dan Perin, Oltrick Santos of the FSM Development Bank, Pohnpei farmer Gregorio Damarlane, CTAS Associate Director Ruben Dayrit and Entomologist Nelson Esguerra, State Agriculture Chief Adelino Lorens and Extension Coordinator Morea Veratau, FSM Agriculture Chief Sailas Henry, State Spice Consultant John K. Gnanaratam of Sri Lanka and U.S. Soil Conservation Service Conservationist Greg Yamanaka of Guam and Conservation Technician Edward Ferreira of Maui, Hawaii.

President says development planning easier under Compact

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on the M/S Micro Glory field trip ship and arrived about 8 a.m. March 27 at Mokil where it was taken to the airstrip on the east side of the main island, Kehlap, where the dedication and ribbon-cutting ceremony took place.

The party also included Legislature Vice Speaker Job Micah of Pingelap; State Senators Simiron Jim of Mokil, Midion Neth of Madolenihmw and Annes Lebehn of Sokehs; State Education Director Damian Sohl; State Conservation and Resource Surveillance Director Kikuo Apis; Special Assistant to the Governor for Outer Islands Affairs Shem Jimmy; Acting Legislative Counsel Henry Biza, Information Office Graphic Artist Elieser Rospel; Special Assistant to the President Ieske Iehsi; Micronesian Relations Chief Johnny Hadley; FSM Agriculture Chief Sialas Henry, and Security and Investigations Chief Jack Jack.



MOKIL AIRSTRIP DEDICATED - Cutting the ribbon to officially open the Mokil Atoll airstrip in Pohnpei state, during the March 27 ceremony, are, from left, Barbara Pace, secretary to the president of Pacific Missionary Aviation; Pohnpei Legislature Speaker's wife Susan Senda, and Mokil Municipal Council Speaker's wife Marihda Lebehn.

Nakayama complimented the Mokilese for the dedication and hard work, not only for completing the airstrip, but for moving it from one location to another, as it reportedly had to be relocated to meet U.S. Federal Aviation Administration requirements.

The President said the national government is encouraging "progressive planning" and development of transportation facilities and systems, such as the two atoll airstrips to transport people and deliver vital supplies and services to the islands.

The Mokil and Pingelap airstrips were built by local labor with materials funded by the FSM Congress and Pohnpei Legislature.

"Transportation in one form or another is essential to any community," he said.

In Pingelap, the President said that with the Compact of Free Association with the United States the FSM has achieved its independence, so "our next challenge and our next test is to develop our economy."

"It seems to me that Pingelap was the leader in economic development among our outer islands," Nakayama said, urging the Pingelapese to continue that development.

"Free association," he said, "is not a status, it is an equal agreement between two governments."

With the Compact funds, each state will be able to develop according to its priorities by following its development plan, the President said.

"This is important, because state officials will be able to plan for a 15-year period, unlike under the Trust Territory when we had to go back to Washington every year for financial assistance," he said.

The President left Pingelap with Gov. and Mrs. Moses; their son, Sam; Iehsi, and the speaker on a PMA flight after the ceremony, arriving in Pohnpei about 6:45 p.m.

PMA begins air service to Mokil

KOLONIA, Pohnpei - Pacific Missionary Aviation began scheduled passenger service March 30 from Pohnpei to Mokil and back, and is now serving the atoll with weekly turnaround flights on Tuesday mornings, according to PMA reservations agent Barbara Pace.

PMA service to Pingelap, which began in 1982, was discontinued when the airstrip was destroyed May 18, 1986, by Typhoon Lola and was resumed March 20 with weekly turnaround service from Pohnpei on Thursday mornings.

PMA also provides Monday, Wednesday and Friday service between Pohnpei and Kosrae which it has been serving since 1977, in addition to charter and rescue flights.

Gamabruw joins FSM PIO staff

KOLONIA, Pohnpei - Terry Gamabruw, who received a BA degree in general studies with a journalism emphasis in 1982 from Eastern Oregon State College, LeGrande, joined March 30 the FSM Information Office staff as an Information Specialist, according to FSM Information Officer Ketson Johnson.



Gamabruw served as a Childfind Specialist for the Trust Territory Handicapped Children's Early Education Planning Grant program in the Yap State Education Department from April, 1986, until she joined the FSM Information Office staff.

Gamabruw, 29, is the daughter of the late Francisco Luktun, traditional chief of Weloy in Yap. She was graduated from Yap High School in 1977, received an associate degree in liberal arts from the Community College of Micronesia in 1979 and attended the University of Northern Colorado in Greeley and Western Washington University in Bellingham, in addition to Eastern Oregon where she also completed an AS degree in community service.

Fr. Fogelsanger dies

KOLONIA, Pohnpei - The Rev. Walter J. Fogelsanger, a former Jesuit missionary who worked 24 years in Truk in fisheries development and translating the Bible into Trukese, died March 13 at age 68 in New York City and was buried March 16 at the Jesuit Cemetery in Auriesville, New York, following a funeral mass in the St. Ignatius Loyola Catholic Church in Manhattan, according to the March 31 Pacific Daily News.

Father Fogelsanger was assigned by Jesuit superiors in 1959 to Truk where he began translating the Bible and later oversaw completion of a Trukese New Testament, and where he was involved in the state's economic cooperative movement, including development of the Truk Fishing Co-op.

He suffered from Parkinson's disease and was reassigned in 1982 to New York for medical attention. A World War II veteran, he was born in 1918 in Buffalo, New York, and was graduated with distinction from Georgetown University, Washington, D.C., in economics.

Gov. Tun names new cabinet

KOLONIA, Yap - Gov. Petrus Tun submitted March 30 the names of six incumbents and two new appointees to cabinet positions for confirmation by the Yap State Legislature, according to an April 6 Yap State Government Press Release.

The two new faces are Resources and Development Deputy Director Constantine Yinug who was nominated to head the Office of Planning and Budget and State Education Department Management and Support Administrator Sabastian Anafal to be Public Affairs director.

The incumbents from the administration of former Gov. John Mangefel renominated for their positions are Administrative Ser-

vices Administrator James Gilmar, Attorney General Cyprian Manmaw, Education Director Alfonso Fanechigi, Health Services Director Mary Figir, Public Utilities and Contracts Director Eusebio Taleng and Resources and Development Director Sam Falanruw.

Yinug is a former FSM External Affairs Department Micronesian Relations deputy chief. He replaces Mike Rody who is retained as a professional planner.

Anafal, who replaces Frances Defngin, is the Yap representative on the College of Micronesia Board of Regents who served as State Education Department federal programs coordinator and secretary of the Yap State Constitutional Convention.

41 complete special ed workshop in Yap

KOLONIA, Yap - Forty participants from throughout Micronesia completed the Early Childhood Special Education Workshop on health and education intervention for handicapped infants and children held here Jan. 26-30, according to Yap State Education Management and Support Administrator Sabastian Anafal.

The workshop was funded by a Trust Territory Handicapped Children's Early Education Program planning grant and held in the Yap State Education Department Conference Room. Consultants were Community College of Micronesia Special Education Instructor Natalia Re-kemesik, a former Yap State special education coordinator who drafted the HCEEP planning grant proposal, and Dr. Christine Ebert-Santos, a pediatrician from the Northern Marianas.

Presentations also were made Yap Attorney General Cyperian Manmaw; medical technicians (medex) Don Evans and Joe Haleyalang; Dr. Joe Flear, a pediatrician, and Yap State Health Services Nutritionist Nancy Rody.

Certificates of attendance were presented by Anafal to Renshy Shotaro, Manuel Umwech, Amansio Frank, Martha Kanas and Mayumi Lorin of Truk; Ernest Schmidt, Almin Lanlin and Hannah Phillip, Marshall Islands; Wincener David, Charley Aisiam and Sihner Hadley, Pohnpei; Roslyn J. Sigrath and Fanry Albert, Kosrae; Elizabeth Watanabe, Monica Blesoch and Romana Baselius, Palau,

and Augustine Sanny, Francis Ganang, Bernedette Minginug, Louis Rungweg, Benedict Chochol, Vanantius Meeyog, Augustina Fidepin, Vicenta S. Olkerill, Martha Ilemasoh, Fernando Moglith, Maria Riyan, Chistina Giphthey, Louisa Ping, Lucy Tiningig, Clotilda A. Ilyaw, Severina Gurwag, Sophia Marmar, Idip Bitloal, Mark Tamngin, Connie Lubueg, Cecilia Guchol, Sophia Beeliyaw, Augustin Giltamag and Paula Chimtag, Yap.

Mokil referendum set

KOLONIA, Pohnpei - A referendum is scheduled for April 21 on the draft municipal constitution which would change the official spelling of "Mokil" to "Mwoakil-loa," according to Chief Magistrate Sahn Johnson who said that a political education campaign was held March 22-April 1.



CITIC OFFICIALS IDENTIFIED - China International Trust and Investment Corp. officials who accompanied FSM President Tosiwo Nakayama and his delegation at the Temple of Heaven in Beijing, during their Feb. 16-March 2 visit to China are identified with the delegation, from left standing, Pohnpei Gov. Resio Moses; Xu Weiyun, CITIC division deputy manager; Min Yu, CITIC vice president; Nakayama; Yao Wei, a CITIC managing director; Truk governor's Special Assistant Hans Wiliander; Yu Zhong Qin, CITIC Public Relations Division manager; FSM External Affairs Deputy Secretary Asterio Take-sy, and Kosrae Lt. Gov. Moses Mackwelung, and, kneeling, Yap Gov. Petrus Tun; Pohnpei Speaker Ambros Senda; Truk Lt. Gov. Bob Mori, and President's Special Assistant Ileshe Ileshi.

Loney rape, robbery convictions upheld

Appellate Division reverses contempt rulings

KOLONIA, Pohnpei - The FSM Supreme Court Appellate Division affirmed in a March 6 opinion the rape and robbery convictions of Kerhard Loney, because his attorneys failed to raise the issues cited in the appeal through a discovery motion prior, to his Oct. 31, 1985, trial.

The Appellate Division also reversed in a Feb. 26 opinion the Trial Division convictions of Pohnpei State Prosecutor Thomas M. Tarpley and Trial Counsellor Dickson Santos for criminal contempt for failing to appear May 21, 1986, in the court for a juvenile case, because their alleged administration of justice obstruction was not "intentional" as required by the FSM Code.

The two cases were argued Jan. 20 before the Appellate Division which consisted of FSM Associate Justice Richard Benson and two designated justices, including Guam Superior Court Judge Peter C. Siquenza Jr. and Northern Marianas Commonwealth Trial Court Judge Ramon G. Villagomez.

Loney was sentenced Nov. 21, 1985, to five years in the Pohnpei State Prison for two counts of sexual assault and one count of robbery committed Sept. 11, 1985, when he reportedly grabbed a woman by the hair, hit her, threatened her life, caused her to fall and injure herself, forced her to go where he raped her twice and took money she had concealed in her clothing.

In his appeal, Loney argued that his due process rights were violated by the failure of the prosecution to offer as physical evi-

dence the victim's underwear which a police officers testified was taken from him when he was arrested and that there was insufficient evidence to support the robbery conviction.

Counsel for the defendant said in his closing arguments in the trial that the government had not introduced any physical evidence, but did not contend that this deprived the defendant of due process of law, according to the appellate opinion.

The Appellate Division found that the defendant chose to make no request for evidence of the underwear seized by the police and that the trial record "clearly supports" the finding that Loney took money from the victim.

Tarpley and Santos were found guilty of criminal contempt and fined by FSM Chief Justice Edward King in the Trial Division here for failing to assure appearance in the juvenile case hearing.

Tarpley reportedly argued June 4 that he had planned to leave Pohnpei for vacation on May 22, but decided to move his departure up to May 20 and asked another attorney to appear for him in the juvenile and another case.

The other attorney testified that he did not recall being told to cover the juvenile case and the trial court found that Tarpley failed to make adequate provision for the case.

Santos testified May 22 that Tarpley left a note for him to appear in another case without mentioning the juvenile case, so

he did not know to confirm the second attorney's appearing.

The trial court found that his failure to appear was caused by negligence.

The Appellate Division stated that it was not necessary to rule on Santos' argument that he was deprived of due process in criminal proceedings, because its ruling is based on culpability or the fact that the trial decision did not meet the definition of "intentional" or purposely obstructing justice.

"Is one guilty of criminal contempt if he obstructs the functioning of the court through negligence, or through an act that creates a substantial risk of court delay?" the opinion asked, responding, "We conclude he is not, and reverse the convictions based on such acts."

Three men plead guilty to assault

KOLONIA, Pohnpei - Three men who pleaded guilty to separate charges of assault with dangerous weapons were sentenced March 26 and 27 by FSM Supreme Court Chief Justice Edward C. King, according to National Justice Ombudsman Nickontro Johnny.

Sailas Ezra, 35, of Sokehs Municipality was sentenced March 26 to one year in jail with work release only on working days and his salary to go to his family, plus two years probation for cutting his daughter with a knife when he became angry.

Ezra also is required to attend any alcoholic anonymous program and counselling sessions available on the island during the period of his sentences.

Sanderson Mauricio, 22, of Kolonia was sentenced March 27 to 45 days in jail and probation for the remainder of two years and prohibited from drinking alcoholic beverages during the probation period for stabbing Andrew Zarred in a Dec. 14 fight in Sekere, Sokehs.

Anderson Rodrigues, 19, of Nett Municipality was sentenced March 27 to three weekends in the Pohnpei State Prison, beginning at the close of PICS high school hours on that date for striking Wancy Route on the head with a baseball bat Dec. 17 in Kolonia.

Rodrigues is not permitted to drink alcoholic beverages, must maintain a satisfactory school record and must participate in an Aramas Kapw Outward Bound training program, if one is available, during an 18-month probation period.

FSM Supreme Court Calender

Trial Division-State of Pohnpei

<u>Date/Time</u>	<u>Case Name</u>	<u>Type</u>	<u>Proceeding</u>
April 20 (Juvenile)	In re. Charley	Assault with deadly weapon (AWDW)	Responses
April 21, 9 a.m.	FSM v. Ocean Pearl	Fishing violation	Hearing
	FSM v. Gallen	Burglary	Sentencing
April 22, 9 a.m.	FSM v. Aron	Burglary	Pretrial
	FSM v. Ioanis	Burglary	Pretrial
	FSM v. Lohn	AWDW	Pretrial
(Juvenile)	In re. Lohn	AWDW	Pretrial
April 23, 9 a.m.	FSM v. Aron	Burglary	Trial
(Juvenile)	In re. Charley	AWDW	Pretrial
April 24, 9 a.m.	FSM v. Lohn	AWDW	Trial
(Juvenile)	In re. Lohn	AWDW	Trial
April 27, 9 a.m. (Juv)	In re. Charley	AWDW	Pretrial
	FSM v. Ioanis	Burglary	Trial
April 28, 9 a.m.	FSM v. Kalio	Manslaughter	Hearing
April 29, 9 a.m.	Ramp v. Mid-Pac	Damages	Hearing
May 5, 9 a.m.	PT&S v. Aquilizan	Debt	Trial
May 6, 9 a.m.	FSM Dev. Bank v. Nanpei Estate	Debt	Hearing
May 19, 9 a.m.	Falcam v. FSM	Contract breach	Oral argument
May 26, 9 a.m.	Michelsen v. FSM	Foreign Invest.	Oral argument

Livestock expert joins FSM staff

KOLONIA, Pohnpei - Haresh T. Patel, who established the U.N. Development Program/Food and Agriculture Organization Regional Livestock Development Project for Micronesia in Pohnpei, joined March 10 the FSM Agriculture Division as its Livestock Development Adviser, according to Agriculture Chief Sailas Henry.

Patel said he plans to continue the goat and Santa Gertrudis cattle breeding programs started under the UNDP/FAO project at the Pohnpei State Agriculture Substation in Ponglangas, Madolenihmw in addition to working with the College of Tropical Agriculture and Sciences here to promote private sector goat production and utilization.

Another project to be implemented soon is establishing hatcheries at state agriculture stations to produce day-old chicks for meat and egg production, according to Patel who said he will visit the FSM states to help review and develop the livestock program.

Patel, 33, is a graduate of London University with a degree in agriculture and Reading University in England with a postgraduate degree in animal production. He came to Pohnpei in May, 1984, from Palau where he conducted another FAO livestock improvement project for 18 months, after working for two years in Papua New Guinea.

FSM population control urged

KOLONIA, Pohnpei - Participants in the March 23-27 National Health Sector Financing Workshop here recommended expanding family planning to maintain health services for a population which will almost double by the year 2000, according to FSM Health Services Administrator Isamu Abraham, workshop facilitator.

The participants also recommended developing an FSM unified health accounting and information interchange system and developing the Pohnpei State Hospital into a centralized health referral facility while discontinuing out-of-country medical referrals to Honolulu and Guam, Abraham said.

"Uncontrolled population growth presents the most critical and pressing threat to the nation's well being and to the operation of the health system in particular," he said in the report on the workshop outcome and recommendations.

"By the year 2000, the combined population of the FSM's four states will exceed 150,000 people, twice the current figure" which will make it impossible to provide the already strained health services system, the report said.

It's first recommendation is to "expand family planning programs in all states by increasing the dispersion of information and also the availability and accessibility of contraceptive methods."

The participants called for development of primary or preventive health care programs to curb the more expensive secondary health care programs and reduce medical referrals which consume about 28 per cent of the state health services budgets, while

developing the national referral center in Pohnpei.

Creation of the national unified accounting and information exchange system was cited as "a necessary ingredient to providing quality and cost-effective health care delivery" by centralizing the accounting system, utilizing computers and establishing performance standards.

Contributing to the workshop were Dr. Lawrence Malcolm of New Zealand, World Health Organization health financing consultant; Sister Natalie Short, Cook Islands Health Ministry Public Health nursing chief; Dr. Eliuel Pretrick, FSM Health Services director; Pohnpei State Economic Adviser, Dr. Dan Perin; Budget Officer Del Pangelinan, Budget Division Administrator Kladin Lihpai, Management Division Administrator Reed Nena and Budget Adviser, Dr. John Carroll of the FSM Budget Office; FSM Financial Adviser Richard Warnock, and FSM Health Work Force Planner Robert Spegal.

Participants were: State Health Administrator Bob Skilling of Kosrae; Public Health Administrator, Dr. Kiosy Aniol, and Health Services Administrator Daro Malon, Truk; State Health Services Fiscal and Finance Officer John Falmed, Yap; State Hospital Administrator Valerio Hallens and State Hospital Fiscal Officer Albert Rodriguez, Pohnpei, and Maternal and Child Health Coordinator Andipeter Paiden, Health Coordinator Jefferson Benjamin and accountant Santra Anson, FSM Health Services Office.

National T3 Center to be ready May 4

KOLONIA, Pohnpei - The FSM National Trades Training and Testing Center being constructed at the Pohnpei Islands Central School here will be ready for occupancy during the week of May 4, according to T3 Program Coordinator Henry Hickey.

New classes in construction, electrical and mechanical basic skills will begin soon after the center is occupied, Hickey said, urging individuals interested in enrolling in one of the courses to obtain application forms at the present T3 Center across from the Pohnpei State Hospital as soon as possible, because students will be selected on a first-come, first-serve basis.

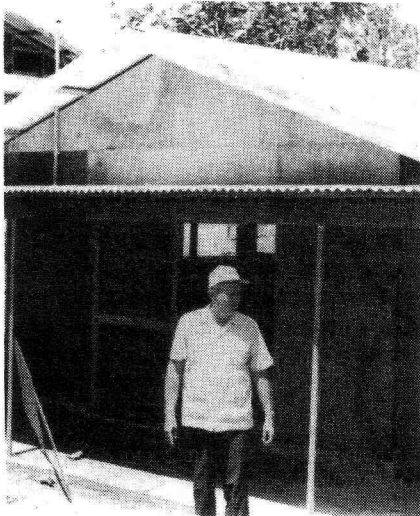
"Almost all trainees who have earned the Trade Test Certificates have been subsequently employed," he said.

"Primarily using trainees during the course of instruction for labor and built with the \$60,000 appropriated by the

Fourth FSM Congress, the National T3 Training Center has evolved into one of the most modern in the South Pacific," Hickey said, noting that the sponsoring U.N. International Labor Organization selected it to serve as the ILO Micronesian Regional Training Center.

The new center "is self-sufficient, consisting of a workshop for each of the three skill areas, office, storeroom, dormitories to house up to 12 trainees, laboratories, kitchen, dining room, recreation room and facilities for growing agriculture products and pursuing outdoor activities," he said.

"Congress will be asked to appropriate funds to build permanent T3 training centers in Truk, Kosrae and Yap in fiscal years 1988, 1989 and 1990 respectively, so that some day all vocational training in the FSM can be incorporated into this most economical and effective program," Hickey said.



HICKEY AT CENTER - FSM T3 Program Coordinator Henry Hickey is standing in front of one of the three new buildings in the National T3 Training Center being constructed at PICS high school.

Accrediting team cites need to resolve funding

KOLONIA, Pohnpei - An accrediting team which visited the Community College of Micronesia said in an April 2 exit report that the need for the three new nations to establish adequate and stable funding for the College of Micronesia system is its overriding concern.

The exit report was presented to faculty and students in the CCM gymnasium by Dr. John McCuen, Long Beach, California, Community College president and chairman of the team, which also included Dr. Peter Blomerley, Ohlone College president, Fremont, California, and Michael Rota, University of Hawaii community college system, representing the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges.

McCuen said that members of the team which visited CCM, March 27-April 2, would compare notes the three-member team which visited the Micronesian Occupational College in Palau during the same period.

The team which went to Palau is headed by Dr. John Peterson, executive director of the accrediting commission.

The visits are part of regular accrediting review conducted by the commission every five years, according to McCuen.

"We have an overriding concern," Mc-

Cuen said, "that as soon as possible there is some resolution through a written agreement between the appropriate nations to the funding crisis which CCM faces."

McCuen said that the crisis must be resolved "so the (COM) Board of Regents and the CCM staff working together can begin charting some kind of planned course for the future of the institution based on some sense, some semblance at least, of adequate funding and stable funding for the future, and we will reflect that concern in our report."

He was referring to concerns cited by the CCM faculty and administration in their self-study report about future funding for the college with the termination of U.S. Interior Department annual grants after fiscal 1987 and phasing out Basic Education Opportunities or Pell Grants due to the implementation of the Compact of Free Association with the United States on Oct. 23 for the Marshall Islands and Nov. 3 for the FSM.

Representatives of the FSM, Marshalls and Palau are scheduled to meet April 20 in Honolulu to finalize plans for a presidential summit expected to be held in early May on future funding for the COM system.

In addition to CCM and MOC, the COM system includes the CCM Nursing School in Majuro, the Continuing Education Centers in each jurisdiction

and the College of Tropical Agriculture and Sciences in Pohnpei.

McCuen said the accrediting commission is scheduled to meet in June to act on the reports by the two teams and is expected to notify the two campuses within a few days after it acts.

Among its tentative recommendations, the team urged the COM Regents to "continue vigorously to advocate the vital role" the college can play in developing

the three new nations.

It urged CCM to establish a multi-year education program master plan and evaluate its degree programs at least once every five years, review its policies and practices to assure the competence of its students to complete degree work at other institutions and enter an articulation agreement with other Pacific post-secondary institutions for transferring credits.

It also recommended review of the COM Continuing Education administrative structure to adequate quality control of CCM courses offered at its centers and clarification of lines of authority and accountability for the Nursing School.

The team recommended that sabbatical leaves be provided for staff development and that the COM Personnel Manual be completed as soon as possible.

And it recommended improving safety and health standards through better restroom facilities, cleaner drinking water and more livable dormitories.

McCuen praised the CCM staff for its enthusiasm in the face of adverse working conditions and its openness, helpfulness and candor in working with the accrediting team.

"We've also been impressed by the significant progress that has been made at CCM since the last visit (by an accrediting team in 1982)," he said.

Pre-summit meeting reset for April 20-24

KOLONIA, Pohnpei - A meeting scheduled for March 30-April 3 in Pohnpei to plan a presidential summit on the future of the College of Micronesia was postponed to April 20-24 in Honolulu, according to COM Executive Director Singeru Singeo.

The Marshall Islands and Palau governments agreed to the delay in the pre-summit meeting which was requested by the FSM government, because External Affairs Secretary Andon Amaraich left March 26 for diplomatic meetings in the South Pacific, Dr. Singeo said.

A summit conference of the three Micronesian presidents remains tentatively planned for early May, as agreed to by the three governments in the first pre-summit meeting held Feb. 23-27 in Honolulu, he said.



ACCREDITING TEAM VISITS - Dr. John McCuen, center, chairman of the three-member accrediting team which visited CCM, March 27-April 2, and CCM President Catalino Cantero, left, are making a courtesy call April 1 on FSM President Tosiwo Nakayama.

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