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Number 5

For Pohnpei at-large seat in FSM Congress

Falcam wins recount by 18 votes

KOLONIA, Pohnpei - Postmaster General Leo A. Falcam was declared April 27 the winner by 18 votes over Vice President Bailey Olter in the April 24-26 recount of March 3 votes cast for the Pohnpei at-large seat in the FSM Congress.

National Election Commissioner for Pohnpei Heinrich A. Stevenson issued the declaration in an April 27 letter to President Tosiwo Nakayama which included the vote totals of 4,052 votes for Falcam and 4,034 for Olter, as certified by Recount Committee Chairman Valerio Hallens.

Stevenson certified March 18 totals which gave Falcam a 14-vote margin with 4,045 votes; Olter, 4,031, and Congress Speaker Bethwel Henry, 1,960.

(See related stories on Pages 5, 6)

The FSM Supreme Court Appellate Division ordered the recount on April 21, following an April 20 hearing on Olter's petition to overturn Stevenson's April 3 decision denying a recount.

The outcome will help determine

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Inside.....

Inauguration May 19

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Kosrae gets plant

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CHIEF EXECUTIVES AT 11TH CONFERENCE President Tosiwo Nakayama, center, is with the four FSM governors on the FSM Congress grounds during the 11th Chief Executives' Conference held April 20-24 in Pohnpei which is expected to be his final chief executives meeting. From left are Truk Gov. Gideon Doone, Kosrae Gov. Yosivo George, Nakayama, Pohnpei Gov. Resio Moses and Yap Gov. Petrus Tun who chaired the conference.

Chief Executives agree to concentrate Japan aid

Scheme proposed to end 'pork-barrel' project funding

KOLONIA, Pohnpei - The President and four governors agreed to ask the FSM Congress to adopt a systematic scheme for funding state projects to end "piecemeal, pork-barrel" appropriations in one of six resolutions approved during the 11th Chief Executives' Conference here.

The chief executives also adopted, during the conference held April 20-

24 in the Congress Chamber, resolutions which would:

--Concentrate Japanese foreign aid in one state each year on a rotational basis, beginning in fiscal 1987 with Pohnpei.

--Have the national government hold 5,000 shares of United Micronesia Development Association

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FSMTC offers satellite data links

Computer communications come to islands

KOLONIA, Pohnpei - The time has come for Micronesia to enter the age of computer communications, according to FSM Telecommunications Corp. General Manager Fred Stout said.

High-speed data communications by telephone voice circuits can reduce the cost of sending and receiving messages, compared to the cost of TELEX service, while connecting public and private offices and private computer users with computers throughout Micronesia and in other parts of the world, Stout indicated.

Computer communications is less expensive because the line time costs are the same per minute, whether data is transmitted at the slower teletype rate of approximately 60 words a minute or 600 words a minute and more which may be used in computer calls.

Regular telephone lines can be used for connecting computers, locally or overseas, with the use of modems and communications software which allow one computer to dial up another, he said.

Overseas computer connections must be made through overseas operators who should be told that they are computer calls, so the operators will not interrupt the data transmissions by cutting in on the calls.

Dial-up computer communications is available within each of the state centers and will be improved with overseas direct distance dialing which is scheduled to be installed later this year in Pohnpei and Truk, according to Stout.

In addition, FSMTC is now able to provide dedicated 110 baud data circuits between each state and these data circuits could be utilized in "an FSM interstate data communications network eliminating interstate government TELEX (messaging) altogether," Stout said.

"Conceivably, we could provide the facilities to tie together all the Wangs (state and national government mainframe computers) to have the same data base and share resources at fairly reasonable cost," he said, noting that if linked by dedicated circuits or telephone lines, one state could use the payroll or other programs in another state when its computer is not functioning, without having to send someone to the other state.

FSMTC established on-line data communications between its central office here and its Yap and Truk offices, and the system is being set up in Kosrae, he said. Dedicated line data communications also are being used by the U.S. Coast Guard and the FSM Weather Service.

First complex program produced during PACBROAD training

KOLONIA, Pohnpei - State Broadcasting Station WSZD staff members produced their first complex radio program with sound effects and a Pohnpeian narrative dubbed over an interview in English, during a radio production training workshop conducted here April 3-16 by Tom Hogan, a senior broadcast consultant from Australia.

The workshop was sponsored by PACBROAD, the Pacific Broadcast and Training Development scheme funded by the Fredrik Ebert Stiftung West German foundation and the U.N. Educational, Social and Cultural Commission (UNESCO) and headquartered in Fiji.

Hogan, a resident of Bathurst, New South Wales, also conducted March 27-April 3 training in radio programming for the State Broadcast Station WTFL staff in Kosrae as part of a five-week Pacific tour which also included Fiji and Kiribati.

He is scheduled to conduct on-site workshops beginning May 12 in Truk and May 22 in Yap and to return for follow-up programs in

August in Kosrae and Pohnpei and October in Truk and Yap. He also is scheduled to go to Tonga and Palau between FSM visits.

Hogan first came to Pohnpei in May, 1984, to serve as the broadcast instructor in the three-week Micronesian Area Media Training Workshop sponsored by the South Pacific Commission and the U.S. Interior Department. He returned to the FSM in 1986 to conduct on-site training workshops in radio news writing in the four state broadcast stations.

"One thing I have witnessed since last year is the acquisition of sufficient equipment to enable production by all of the four states, so I have noticed progress," Hogan said.

WSZD purchased two reel-to-reel recorders and two mixers, PACBROAD donated one portable reel-to-reel recorder and broadcast technician Michel Ferand of France, who was sent by the UNESCO headquarters in Paris in March to meet with state and national broadcast personnel here on equipment and maintenance needs, hooked up the equipment to make a production studio.

The four WSZD staff members who participated in the training were Wihden Manuel, Daniel Johnny, Emiko Boaz and Paulino Pablo. Marialice Eperiam, press secretary to Gov. Resio Moses, assisted in the training.

They produced the eight-minute program on "Treatment of Water to Make It Safe to Drink," which was selected from issues raised in the Pohnpei State Development Plan, by planning, researching, recording interviews with State Health Services Director Itor Harris and state hospital physicians and editing the interviews with sound effects to emphasize the importance of providing clean and safe drinking to the health of Pohnpei residents, Hogan said.

In Kosrae, 11 staff members completed the training in programming which includes determining what goes on the air and when it is scheduled.

They are Lisina George, McDonald Ittu, Keitson Johnas, Merian Kilafwakun, Nena Shrew, Maiyomina Berghard, Filmore Timothy, Kester Joel, Austion Esau, Carmelina Tilfas and Kun Oltor.

Under an agreement with the South Pacific Commission, PACBROAD is concentrating on training broadcast station personnel, while the SPC Regional Media Centre in Suva is providing training for people outside of broadcast who use radio to communicate, according to Hogan. The SPC center also provides video and print graphics training.



PLANNING RADIO PROGRAM - PACBROAD instructor Tom Hogan, left, is training WSZD Radio personnel in radio program production with the assistance of Marialice Eperiam, second from right, Press Secretary to Gov. Resio Moses. From left are Hogan, Wihden Manuel, Daniel Johnny, Eperiam and Emiko Boaz.

May 19 Inauguration set for President, Veep

KOLONIA, Pohnpei - An inauguration is scheduled for 9 a.m. May 19 at the Administration Field in Kolonia for the new FSM President and Vice President, according to FSM Education Administrator Daro Weital who is the Overall Inauguration Committee Chairman.

The Fifth FSM Congress will elect the President and Vice President from among its four at-large members, John Haglelgam of Yap, Leo Falcam of Pohnpei, Hiroshi Ismael of Kosrae and Redley Killion of Truk, after its First Regular Session is convened on May 11.

Invitations were mailed to more than 600 individuals including foreign dignitaries and state public and private officials.

FSM Health Services Administrator Eliuel Pretrick is the Overall Vice Chairman; Personnel Officer Kohne Ramon, Overall Secretary; Budget Officer Del Pangelinan, Overall Treasurer, and Iufert Hairrick, Overall Assistant Secretary.

The chairpersons of the committees responsible for inauguration functions are Tadao Sighrah, Program Committee; Ieske Iehsi, Invitation Committee; Gene Babauta, Welcoming Committee; Bumio Silbanuz, Set-Up Committee; Wehns Billen, Decorations Committee; John Sohl, Logistics Committee; Melody Musrasrik, Refreshment Committee; Jack Jack, Crowd Control Committee, and Elieser Rospel, Clean-Up Committee.

Substance abuse program continues

KOLONIA, Pohnpei - The FSM Education Office is continuing its Education Against Substance Abuse Program to combat existing drug problems and prevent them from becoming worse, according to Education Director Daro Weital.

"We want to make people aware that we do have a problem right now and the problem is going to get much worse, if we don't do something about it," Weital said, citing extensive alcohol abuse and illegal marijuana cultivation and use in Micronesia, and fears that hard drugs, such as heroine and cocaine, will be introduced soon from outside of Micronesia.

Noting that alcohol and drug addiction can ruin peoples' lives and lead to violence and suicide, he said, "We want to expand to create an effective preventive program."

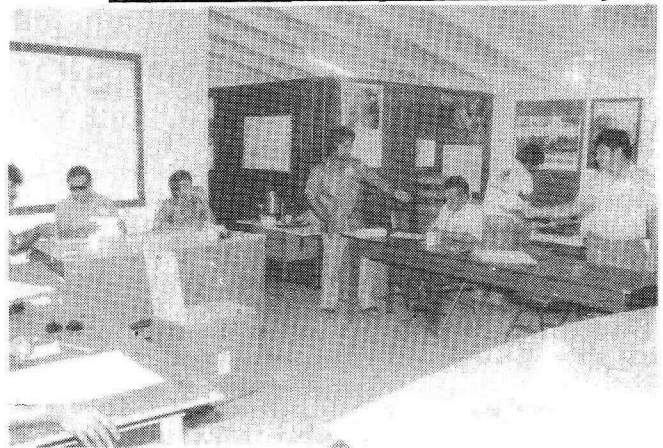
A substance abuse education program which can be integrated into school curricula at all levels beginning with the first grade in science and health education courses was developed by FSM Health Services psychiatrist, Dr. Pauline Langsley, and National Education Advisor Stuart Armo and made available to the state education departments, Weital said.

The FSM Education Office has a resource center on substance abuse materials which are available to the states on request, he added.

The FSM office is working with the state education departments to find out their needs and to develop a plan for substance abuse education funding by the Compact of Free Association education block grant in fiscal 1988 for curriculum development, teacher training, community education and instructional materials.

The substance abuse education program began with a national workshop held in 1985 for educators at the Community College of Micronesia by Lt. Col. Bill Castro Jr. and Sgt. First Class Joy Marshall of the 322 U.S. Army Reserve Civil Affairs in Honolulu.

It was continued by Dr. Alicia Dondero, Ventura County, California, Center for Drug Problems program director, who visited Truk and Kosrae in June, 1986, and by Castro and Marshall who returned to hold Alcohol and Drug Awareness Instructional Workshop(s) primarily for teachers April 27-29 in Kosrae and April 29-May 2 in Truk.



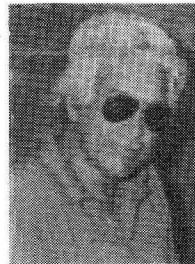
VOTE RECOUNT UNDERWAY - Pohnpei's National Election Commissioner Heinrick A. Stevenson, standing in center, is supervising April 21 the recount of March 3 ballots which gave Leo A. Falcam a 14-vote lead over Baiiy Olter for the state's FSM Congress at-large seat. The recount ended April 23 with Falcam winning by 18 votes. From left are Akillino Susaia, an Olter observer; Yasuo Yamada, a Falcam observer; Election Board Chairman Albert Iriarte; Stevenson; official tabulators Dusty Fredrick and Phillipus Oliver, and Herbert Gallen, an Olter observer.

Falcam wins in recount

(Continued from Page 1)

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 Election District 1, which Kolonia, Sokehs and the southern atolls, the vote from Falcam was increased from 434 in the original count to 435, while Olter remained at 1717.



Falcam

In Election District 2, which includes Madolenihmw and Kitti, the total for Falcam was increased from 1,673 to 1,680 and for Olter from 1,305 to 1,309.

In Election District 3, which includes U, Nett, Pingelap and Mokil, Falcam's total was reduced from 1,901 to 1,900 and Olter's from 968 to 967.

In both counts, Falcam received 35 overseas and other absentee ballots and two votes found March 13 when the Congress Chamber, site of the original count, was inspected by attorneys for the two sides and the FSM Attorney General, while Olter received 38 absentee ballots and three votes found March 13.

Ayin acting U.S. Relations chief

KOLONIA, Pohnpei - Micronesian Relations Division Deputy Chief Gabriel Ayin was named March 16 acting chief of the new U.S. Relations Division by External Affairs Secretary Andon Amaraich.

Ayin is being assisted by FSM External Affairs Department Foreign Service Officer Emilio Musrasrik and Status Commission Legal Counsel Gregory Swartz.

The U.S. Relations Division was authorized by Presidential Order No. 1 to conduct relations with the U.S. government, its subdivisions and agencies and Government of the Trust Territory and its agencies, in coordination with the FSM Status Commission and supervise FSM liaison offices in U.S. jurisdictions, now existing in Guam and Honolulu.

Ayin, 37, is a native of Maap, Yap proper, who received a BA degree in American history from Barrington College, Rhode Island; an MA in political science from Northern Arizona University, Flagstaff, and attended Fuller Theological Seminary, Pasadena, California, for three years, before becoming Micronesian Relations deputy chief in 1983.

He served as a Yap High School teacher, State Public Affairs Department legislative liaison officer and Yap State Legislature chief clerk.

Governors back pension for President, Veep

(Continued from Page 1)

shares to be distributed in settling litigation over control of Air Micronesia.

--Designate the FSM Education Board as the advisory committee for recommending U.S. education transition funds allocations.

--Urge the FSM Congress to act promptly on Investment Development Fund Board of Advisors nominations.

--Ask the FSM Congress to establish a pension for former Presidents and Vice Presidents at 80 per cent of their salaries while in office.

The Chief Executives' Conference is the last expected to be held before President Tosiwo Nakayama leaves office in May. The first was held here in September, 1981.

Yap Gov. Petrus Tun chaired the meeting also attended by the President and governors Yosiwo George of Kosrae, Gideon Doone of Truk and Resio Moses of Pohnpei.

In CEC Resolution No. 11-1, the chief executives asked the President to submit legislation to the next Congress to establish a systematic scheme for appropriating funds for state projects which would be in accordance with national programs available to the states as grants-in-aid or matching funds to be utilized at the discretion of the states in implementing their five-year development plans.

The resolution said that "Congress appropriations for the states have been for piecemeal, pork-barrel projects which too often were requested by certain state individuals and agencies so that such projects are not in accordance with the duly adopted state plans, and therefore often interfere with planned state projects."

The proposed scheme, it said, would allow the states to identify programs which could be funded under national programs and which require state and outside funding, and would "reduce pressures on individual Congress members from constituents for small localized pet projects, enabling the members of Congress to devote their time and energy to funding national programs and dealing with national issues."

CEC Res. 11-2 urges the FSM Congress to act on the five nominations by Nakayama to IDF Board of Advisors. Four were based on the recommendations of the governors. They are Higinio Weirangt, national government; Lt. Gov. Moses Mackwelung, Kosrae; State Senator Annes Lebehn, Pohnpei; FSM Senator-elect Redley Killion, Truk, and James Gilmar, Yap.

The three remaining members of the eight-person board are to be appointed by the U.S. government.

The advisory board is required by the law enacted in 1985 by the U.S. Congress to provide a total of \$20 million to promote private development in the Federated States and an up to \$40 million in ad-

AIDS screening funds sought

KOLONIA, Pohnpei - The FSM Health Services Office announced April 28 that it is seeking funding to establish a voluntary blood screening system for acquired immunodeficiency syndrome, or AIDS which reportedly is becoming a serious epidemic throughout the world.

The Health Services Office can provide educational information and speakers to interested persons and groups on the deadly disease which is being transmitted by sexual intercourse, transfusions of blood from infected persons and drug users sharing intravenous needles, according to its director, Dr. Eliuel Pretrick.

"No definite cases of AIDS have been confirmed so far in the FSM, although it is possible that one or more persons from overseas (who are no longer in the FSM) may have been carriers of the virus (HIV or human immunodeficiency virus) causing AIDS, or have later developed AIDS," Pretrick said.

"Most persons who are infected with the virus do not have the disease AIDS, although many of them have milder symptoms," he said.

ditional contributions, if the FSM shows additional adverse impacts from amendments to the previously negotiated tax and trade provisions of the Compact of Free Association which went into effect on Nov. 3.

The IDF "can play an important role in the economic development of our nation and the prompt organization of the advisory board will encourage that development," the resolution said, asking the Congress to "act as promptly as possible on the pending nominations."

CEC Res. 11-3 asks the President to appoint all members of the FSM Education Board to the Funds Advisory Committee to assist in allocating the U.S. Education Consolidation and Improvement Act Chapter 1 and 2 funds to be provided at the rate of \$9,282,000 for fiscal 1987; \$6,211,800, fiscal 1988, and \$3,070,200, fiscal 1989, under agreement with the Marshall Islands to divide education transition funds which was ratified April 4 by the Fourth FSM Congress during its Fifth Special Session.

FSM Education Board members are FSM Education Administrator Daro Weital, executive officer; Santiago Joab, Pohnpei; Sing-kitchy George, Kosrae; Manuel Sound, Truk, and John Rulmal, Yap.

The transition funding is scheduled to begin in July to assist the FSM in adjusting to the termination of education programs on Dec. 31, due to the implementation of the Compact.

The chief executives agreed in the resolution that the national government should limit its portion of up to 20 per cent of the grant for administrative expenses "to the minimum feasible amount" and allocate funds remaining from its portion to the states for their indirect costs.

CEC Res. 11-4 said the chief executives agreed to change an Oct. 11, 1984, agreement by the Sixth Chief Executives Conference to distribute Japanese government aid among two states each year.

It said that "the conference agrees that the beneficial impact of Japan foreign aid will be enhanced if it is concentrated each year in one state, providing opportunities for larger scale projects of particular priority to each state to be funded."

It said the rotation would begin with Pohnpei this year, followed by Truk, Kosrae and Yap.

CEC Res. 11-5 endorsed holding at the national government any shares of UMDA stock which may be received in settlement of the Air Micronesia-Continental Airlines litigation, instead of dividing them among the states.

"It appears that an effective use of the shares at this time would be to keep their income and voting power consolidated," the resolution said.

UMDA officials announced here in February that a settlement was reached with Continental, subject to U.S. court approval, which make available 5,000 shares of its stocks to the FSM or its designees, in addition establishing a new joint venture with Air Mike, giving UMDA 86 per cent of Air Mike's shares and setting payments by Continental of \$850,000 immediately and \$1 million annually to UMDA stockholders.

CEC Res. 11-6, which was not signed by Nakayama, states that the President's and Vice President's salaries are not sufficient for them to set aside money to live on after their terms in office and endorses the enactment of pensions amounting to 80 per cent of their salaries which are \$32,000 a year for the President and \$25,000 for the Vice President.

A law enacted Nov. 27 will give the Vice President a pay raise to \$30,000.

The resolution asks the FSM Attorney General to draft the legislation for review by the Pohnpei governor, "consulting with other state chief executives as he finds necessary, and to make arrangements for submission of the legislation for action" by the FSM Congress in the May regular session "or as soon thereafter as possible."

'We achieved it together,' President *Governors pay tribute to Nakayama*

KOLONIA, Pohnpei - President Tosiwo Nakayama, whose eight years as the first FSM President are coming to an end, was hailed as a great leader who led the Federated States into nationhood and gained for it respect throughout the world, during an April 24 reception in the Village Restaurant.

"What we have achieved, I've not achieved alone, we have achieved it together," the President responded.

The reception was held by the four FSM governors at the close of the 11th Chief Executives' Conference in honor of the President and First Lady Miter Nakayama.

Nakayama, who is from Truk, is scheduled to leave office, after a new President and Vice President are elected by the FSM Congress when it meets here May 11.

He served two four-year terms, beginning with the implementation of the FSM constitutional government in May, 1979, and presided over the Nov. 3, 1986, implementation of the Compact of Free Association with the United States which ended U.S. administration through the Trust Territory government.

Yap Gov. Petrus Tun, chairman of the Chief Executives' Conference, noted that the conference was most likely the last Nakayama will attend, before the end of his term.

Tun, who served as the first FSM Vice President and was succeeded in 1983 by Bailey Olter of Pohnpei, said, "I enjoyed working with the President during his first term.

"He is a great leader and a very dedicated public servant," Tun said.

"His administration made many accomplishments," the Yap governor said. "What I think is important to express is our appreciation to the President and Vice President for having done so much for our nation....for having dedicated eight years of his life for our nation."

Kosrae Gov. Yosiwo George cited Nakayama's leadership in building a new nation and seeking international recognition for the FSM.

"We can see that the FSM has gained a lot of respect among the Pacific Islands nations and the rest of the world," George said, adding that "what he has started is what we must all follow in building this nation to be a great nation

in the years to come."

Truk Gov. Gideon Doone said, "We will miss the smiling face of Mr. Nakayama, his Micronesian urging for solving problems and everything else about him.

"We in Truk are proud of him," Doone said, noting that "we may not see another Trukese in the role of President for another 24 years," if representatives of the three other states serve two terms each as President.

Pohnpei Gov. Resio Moses said that "we found his leadership honorable" and "a model for us to follow."

Moses said that "under his leadership this young nation, though it is poor, will live."

Nakayama responded that he was moved by the governors' remarks and said, "Whatever has been accomplished is not my doing--it is the result of the collective effort of the leadership conference and the cabinet.

"What we have achieved in status is something we can be proud of for our children and grandchildren," the President said.

While many nations fought for independence, he said, "We in Micronesia can be proud because we attained independence in a more peaceful manner, though it took 16 years."

The national government was able to solve problems because of the cohesiveness of the FSM, Nakayama said.

The FSM has received letters of recognition from Fiji, New Zealand, Nauru, among other nations and will become this year a full member of the South Pacific Forum, he said.

Nakayama said that he recalled many of his teachers in the United States saying that Micronesia would never change its status and would remain a U.S. ward because it is poor and has no resources.

"We have proven differently, though we remain poor," he said.

"It will not be easy for me to retire, because I have spent most of my life working for the people," Nakayama said.

He said that he has two answers when asked what he will do when he leaves office, including one that "I don't know" and the second that "I'm a fisherman, so I probably will fish.

"When I come to you, please buy fish," he said.

Commissioners to recommend code changes

KOLONIA, Pohnpei - A National Election Commissioners' Conference is scheduled for May 6-7 to consider proposals to the FSM Congress for changes in the National Election Code, according to Micronesian Relations Chief Johnny Hadley.

The conference, which will be held in the Congress Chamber here was requested by Yap National Election Commissioner Fran Defngin and agreed to by the other commissioners, including Pohnpei Election Commissioner Heinrick A. Stevenson who cited problems in the Election Code raised by the FSM Supreme Court in its decision to override Stevenson's April 3 decision denying a recount of the March 3 ballots in the race for the Pohnpei at-large Congress seat.

The other national election commissioners are Iskia Sony of Truk and Fred Skilling of Kosrae.

FSM Chief Justice Edward C. King, who presided over the three-judge Appellate Division panel which ruled on the case, said that the Congress should be concerned about the fact that 41 of 88 ballots sent to Hawaii were returned and only five were valid.

He suggested that consideration be given to whether: 1) The ballots should be sent more than 20 days before an election, 2) the requirement for notarizing should be removed or amended, 3) instructions should be more clear and 4) the deadline four days before the election should be changed.

Stevenson, who is the state Public Affairs director, said the Congress should consider designating overseas polling places, changing the period for accepting absentee ballot requests from 90-20 days to 150-30 days before an election and changing the deadline, now four days before the election, for absentee ballots to arrive in the states to be counted.

"I want to see the law amended so we could count absentee ballots received (up to) one week after the election," he said, to give overseas voters a better opportunity to participate in the elections.

He also would like to see the voter registration deadline for national elections changed from 30 days before an election "to be inclusive of election day.

"That's what the states are doing," Stevenson said when asked whether election officials could administer registration at the polls.

"In the future, we may want to see an automatic recount, if the margin is 1 per cent or less," he said, adding that due to the court decision, "if we have 1 per cent or less, I will get at this (recount) right away."

Court cites 'substantial error question' in count

KOLONIA, Pohnpei - The FSM Supreme Court Appellate Division ruled that there was a "substantial question of error" in the way tabulations were made in 31 of the 97 ballot boxes in Pohnpei in ordering April 21 a recount of March 3 votes which left Vice President Bailey Olter trailing Postmaster General Leo Falcam by 14 votes out of more than 10,000 for the state's at-large FSM Congress seat.

The Appellate Division panel, which included FSM Chief Justice Edward C. King, Associate Justice Richard Benson and Pohnpei State Chief Justice Edwel Santos, heard oral arguments April 20 in the expedited proceedings on Olter's appeal of the April 3 decision to deny a recount by National Election Commissioner for Pohnpei Heinrich Stevenson.

The Fifth FSM Congress is scheduled to elect a new President and Vice President from among its four at-large members, after its First Regular Session is convened on May 11.

It was the first time in the eight-year history of the FSM that a recount request was denied by a national election commissioner and appealed to the FSM Supreme Court as provided by the National Election Code, King noted in delivering the oral decision on behalf of the panel.

Because the election requires that

there be "a substantial question of fraud or error" to justify a recount, King said, "We on this panel are pleased that we are not dealing with a question of fraud.

"There is no question that anybody strived for anything but a fair election," he said, calling it "a tribute to the FSM and Pohnpei.

"We do find that there is a substantial question of error," the Chief Justice said, citing the procedure used of having three tabulators tally and report the totals of each ballot box and taking the totals of two out of three, if the third differed by no more than one or two votes, without recounting the boxes.

King noted that the procedure was used for 28 boxes when the difference was one vote and three boxes when the difference was two votes.

"Anytime the count of one of three persons obligated to count is disregarded, it raises a substantial question of error," he said, adding that the procedure "worked fine" in past elections which were not so close.

Benson commented that the two-of-three tabulation procedure was the only thing considered by the panel in determining that there was a substantial question of error, though other possibilities of error were raised.

"If the tabulation of every box were complete, we would have considered

recounting only those (31) boxes," he said, "but those records were not available to us."

The election code language provides a second test, whether there is a "substantial possibility" that a recount will change the election outcome.

This term "defies precise definition," King said, stating that "clearly there is a possibility" that the outcome would be effected.

He said the court is to use its discretion in deciding whether the possibility is substantial.

The court denied Olter's request to include in the recount 18 ballots which arrived from Hawaii after the Feb. 27 deadline for absentee ballots, citing contradicting affidavits on how the absentee voters were instructed by the FSM Liaison Office in Honolulu to vote and stating that "we consider ourselves bound by the statutory language."

King said that the Congress should be concerned about the fact that 41 of 88 ballots sent to Hawaii were returned and only five were valid.

He suggested that consideration be given to whether: 1) The ballots should be sent more than 20 days in advance, 2) the requirement for notarizing should be removed or amended, 3) instructions should be more clear and 4) the deadline four days before the election should be changed.

FSM Administrative Procedures Act which requires prolonged hearings and a deference to the administrative decision being appealed "does not apply to an appeal such as this," King said.

"Based upon our finding, the National Election Code has provisions which don't fit into agency review under the APA" which often run counter to the election code provisions, he said.

"The purpose of the statute (election code) is to insure a fair election," King said. "We should approach the statute in a liberal spirit to reach a result and an election outcome that would be recognized in the community as fair."

The public interest in determining the final results of an election without delay "would not be served in denying a recount in so close an election," the Chief Justice said, adding that "where the election is extraordinarily close, it is almost certain that denial of a recount (by the National Election Commissioner) will lead to an appeal of this nature."

FSM Supreme Court Calender Trial Division - Pohnpei State

Date/Time	Case Name	Type	Proceeding
May 4	FSM v. Kinam	Sexual assault	Pretrial motions
	FSM v. Obed	Sexual assault	Pretrial motions
May 6, 9 a.m.	FSM Dev. Bank v. Nanpei Estate	Debt	Hearing
May 7, 9 a.m.	FSM v. Soswa	Assault with deadly weapon (AWDW)	Pretrial
	FSM v. Hainrich	Forgery	Pretrial
May 8, 9 a.m. (Juvenile)	In re. Charley	AWDW	Hearing
	FSM v. Aron	Burglary	Sentencing
May 11	FSM v. Kinam	Sexual assault	Responses
	FSM v. Obed	Sexual assault	Responses
9 a.m.	FSM v. Soswa	AWDW	Trial
May 12, 9 a.m.	FSM v. Hainrich	Forgery	Trial
	FSM v. Smith	Burglary	Sentencing
May 14, 9 a.m.	FSM v. Kinam	Sexual assault	Pretrial
	FSM v. Obed	Sexual assault	Pretrial
May 18, 9 a.m.	FSM v. Lohn	AWDW	Sentencing
(Juvenile)	In re. Lohn	AWDW	Sentencing
May 19, 9 a.m.	FSM v. Kinam	Sexual assault	Trial
	Falcam v. FSM	Contract breach	Oral argument
May 20, 9 a.m.	FSM v. Obed	Sexual assault	Trial
May 26, 9 a.m.	Michelsen v. FSM	Foreign investment	Oral argument

Cabinet factory set for Kosrae

KOLONIA, Pohnpei - A joint venture agreement to establish a wood manufacturing plant in Kosrae was approved during an April 10-13 visit by an American Indian Trade Mission which also is interested in other projects, including fisheries development technical assistance to the FSM.

The trade mission included Joe DeLaCruz, president of the Quinault Indian Nation, Washington state; George DuCharme, tribal forestry director, Flathead Indian Reservation, Montana; Robert Ferguson, Timber Committee chairman, Colville Indian Reservation, Washington; Fred Lane, a Lummi Indian who is the Northwest Region international trade and development coordinator for the U.S. Bureau of Indian Affairs; Stanley Speaks, BIA Northwest Region area director; George Smith of Portland, Oregon, BIA Northwest Region area forester; Ghodrat Kholgi, an Alexandria, Virginia, trade consultant; Washington, D.C., attorney Barry Israel, and Louis Sleeper of Arlington, Virginia, vice chairman of CITIPAC, a joint venture between the People's Republic of China, American Indians and the firm, Pacific and Western Ventures which he heads.

The agreement to establish a plant in Kosrae to manufacture ready-to-assemble kitchen cabinets from hardwood cut on the U.S. Northwest tribal land was approved April 10 in Kosrae by Gov. Yosiwo George, the Intertribal Timber Council representatives and Sleeper for CITIPAC.

After leaving Kosrae, the trade mission visited Pohnpei, April 13-14, to brief FSM



MEETS INDIAN MISSION - President Tosiwo Nakayama, left, is meeting April 13 in his office with American Indian trade mission members, from left, Robert Ferguson (back to camera), Joseph DeLaCruz, George DuCharme and Louis Sleeper, who briefed him on plans to establish a wood manufacturing plant in Kosrae as a joint venture with the Indians and the Peoples Republic of China.

officials on the agreement. They met April 13 with President Tosiwo Nakayama in his office.

Kosrae helped fund with the three tribes the feasibility study for the wood finishing plant, Sleeper said.

Construction on the concrete and steel beam factory with metal sides is expected to begin by October and be completed by the end of 1988, according to Sleeper who said that it will employ about 25 local people during the first year and 300 people in the fourth year, in addition to three expatriate supervisors and temporary trainers.

The joint venture is the first to be established by an American Indian Trade Mission, since the first mission came here with Sleeper in 1985 to look into the possibility of a wood processing enterprise in the FSM.

The first trade mission was followed by a visit to the FSM in 1986 by officials of the China International Trust and Investment Corp. and a trip to China in February by an FSM delegation headed by Nakayama. The trip included signing Feb. 20 in Peking an economic cooperation agreement between the FSM and China.

"This is the first concrete project which has resulted from the first trade mission, implementing the triangular concept, involving the U.S., FSM and China," Sleeper said.

"We hope there will be some more projects," he said.

DeLaCruz said he discussed fisheries development with officials in Kosrae and Pohnpei.

"We are trying to put together another trade mission just on fisheries, probably in November," he said.

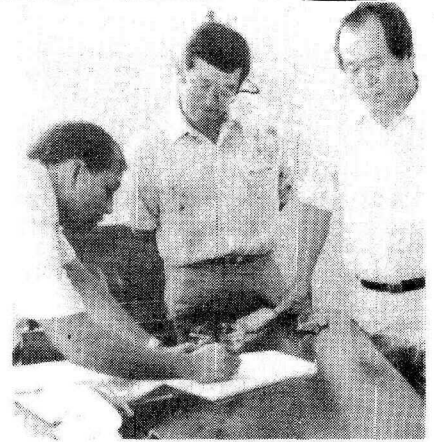
DeLaCruz said his tribe with a population of 60,000 people catches, processes and markets some 3.5 million pounds of fish, mainly salmon, a year.

"The tribes in the U.S. are only about 20 years into development," he said, crediting President Lyndon Johnson's 1960s war on poverty with launching that development and calling "Native Americans an undeveloped nation right in the middle of the United States."

Library construction near

KOLONIA, Pohnpei - Gov. Resjo Moses and other state officials participated in an April 15 ground-breaking ceremony at the Pohnpei State Agriculture Station for a new \$40,000 public library, according to Kohne Ramon, president of Friends of the Pohnpei Public Library.

Construction is expected to begin in mid-June by the U.S. Army Civic Action Team stationed here and to be completed in October, Kohne said.



TERMINAL CONTRACT SIGNED - Gov. Resjo Moses, left, is signing April 15 in his office a \$1,888,000 contract with Hanil Construction Co. of South Korea to construct a new terminal building at the Pohnpei International Airport. Construction is scheduled to begin in June and to be completed in 340 days from the time it starts. With the governor are E. H. Park, right, Hanil Pacific area regional manager, and W. M. Kim, FSM capitol construction project manager for the firm.

47 get ILO Trades Test certificates

KOLONIA, Pohnpei - International Labor Organization Trade Test certificates were presented by ILO consultant and plumbing expert Joe Mailulu of Fiji to 47 Pohnpeians, during an April 15 ceremony at the Trades Training and Testing Center here, according to FSM T3 Program Coordinator Henry Hickey.

"These certificates are recognized in all of the 12 participating countries in the (ILO) T3 program," Hickey said.

"Similar ceremonies will be held in Yap and Truk in the near future to honor trainees in those states," he said.

The skills, levels and trainees receiving certificates here are:

Construction: Basic--Welterino David, Elson Eliam, Erwin Fred, Domingko Nennis, Akim Bernard, Kilarnes Peter, Ben K. Eliam, Paul Obed, Leion S. Setik, Sederes Herry, Boner Edward, Kadalino Paul, Rotines Roffis, John Johnny, Epa Kilawaken, Iokapw Paul, McNutt Poll, Garistian Somson, Anderson Louis, Welperino David, Bernel Dewey, Ioanis Tipen, Johnwayn Santos and Kehn Daniel. Intermediate--Kadalino Paul, John Johnny, Akim Bernard, Pedrus Edward, Rotines Roffis and Kilarnes Peter.

Electrical: Basic--Robert Bartolome, James Samuel, If Manasa, Pedrus Edward, Hugo Gonzaga and Chester Lucios.

Mechanical: Basic--Behlis Spencer, Bernard Ehmes, Ikku Ekit, John Setsuo and Ricky Solomon.

Plumbing: Basic--Sostos Henly, Kamiya Bobo, Casiano Henry, Joe Hafler, Simon Helgen and Joanis Bartolome.

Sos regains Truk Speakership

MOEN, Truk - State Senator Kisande K. Sos was reinstated as Speaker of the Third Truk State Legislature during a Dec. 4 reorganization meeting, according to a Truk State Information Office release.

Sos, who served as Speaker during the Second Truk State Legislature, replaced Fritz Hartmen who served seven months.

Kenchy James was reelected vice speaker and Detor Santos, floor leader, while Iosy Ludwig was replaced by Komber Kumo as Education Committee chairman and Tomio John by Roosevelt Kansou as Judiciary and Government Operations chairman.

Committee chairmen who were reelected include Resty Shotaro, Ways and Means; Singkoro Harper, Federal and Foreign Affairs; Helbert Dereas, Resources and Development; Hayashi Naka, Health and Welfare, and Tatasy Terry, Transportation, Communications and Public Works.

During its First Special Session which began Nov. 10 and ended March 9, the Third Legislature adopted the following bills:

--Amending requirements for lawyers to work one year for the Truk Legislature before being admitted to the FSM Bar; a fiscal 1987 budget supplement; a legislature office equipment appropriation; providing \$400,000 for municipal operations funds; providing a \$25,000 contribution to the Association of Pacific Islands Legislature; amending the Truk Scholarship Board composition, and establishing a politically independent office for the Truk State Election Commissioner.

--Adopting Compact of Free Association division of funds memorandum of understanding amendments; confirming State Senator Bonsiano Nethon for the Truk Coconut Development Authority board, State Senator Helbet Dereas for the FSM Tele-

Truk prosecutor dies

MOEN, Truk - Acting Gov. Bob Mori declared March 31 a five-day mourning period for Truk State Prosecutor Fujita Peter who died March 30 in the Truk State Hospital, according to a State Information Office release.

Mr. Peter served in the public service system 35 years, including as corporal, sergeant, deputy sheriff and district prosecutor in the Truk District Constabulary and as a legal specialist and prosecutor in the State Attorney General's Office.

communications Corp. board and State Senator Detor Santos for the Micronesian Legal Services Corp. board; amending the legislature Rules of Procedure for reorganization; requesting a national convention to amend the FSM Constitution, and approving Pay P. Tiernan as TSL legislative counsel.

During the Second Special Session which began March 16, the legislature:

--Approved a \$10,809,446 capital improvements projects fiscal 1987 appropriation; earmarked \$600,000 for the Truk state government debt; approved a bill to remove the state Budget Office from the Finance Department; a resolution commending former Guam Legislature Speaker Carl T. C. Gutierrez for his service as APIL chairman; approved establishing a State Debt Committee, and approved a rider to legislation overriding Gov. Gideon Doone's item veto of fiscal 1987 budget provisions.

--Confirmed nominations of Bonsiano Nethon to the Truk Coconut Development Authority board; Namie Alexander, Truk Health Services Advisory Board; Karson Enlet, State Education Board; Dr. Ngas Kansou, Truk State Environmental Protection Board, and College of Tropical Agriculture and Sciences Assistant Cooperative Home Economist Ansina Kony, Truk Health Services Advisory Board.

Land team takes office

LELU, Kosrae - Members of the Kosrae Land Registration Team were sworn in, during a Feb. 17 ceremony at the State Court here by Chief Justice Harry Skilling, according to a March 4 Kosrae Information Release.

Team members in each municipality appointed by Senior Land Commissioner Mitchell Aaron and confirmed by the Kosrae State Legislature are:

Lelu--Bryan William, Walton Palik, Truman Welly, Raynold Tilfas and Joshua Alokoa; Tafunsak--the Rev. Alik Palsis, Inus Albert, Hiroshi Kinere, Joseph George and Kun Caleb; Malem--Johnston Jonas, Mario Lonno, Palikkun Charley, Takao Olter and Taldon Langu, and Utwa--Himul Tulenkun, Mores Wakuk and Makoto Edmond.

Mokil scheduled to become 'Mwoakilloa'

KOLONIA, Pohnpei - The draft municipal constitution which changes "Mokil" to "Mwoakilloa" was ratified April 21 by a vote of 246 for and 35 against it, according Mokil Chief Magistrate Sahn Johnson.

The constitution will take effect June 5, according to Constitutional Convention Chairman Sailas Henry, who said the chief magistrate had 15 days to review the voting and another 30 days was to lapse before it became effective.

The constitution was drafted in compliance with a provision requiring each municipality to draft its own constitution in the Pohnpei State Constitution which went into effect on Nov. 8, 1984.

EPB approves MOU

KOLONIA, Pohnpei - The FSM Environmental Protection Board approved a memorandum of understanding delegating some of its authority to the Kosrae State Environmental Protection Board, during its fourth meeting held March 4-5 in Pohnpei, according FSM EPB Executive Officer Donna Scheuring.

The meeting was the first held by the national board since the Compact of Free Association was implemented Nov. 3, dissolving the Trust Territory EPB and making the FSM EPB the recipient for U.S. Environmental Protection Administration program grants and Office of Planning and Construction recipient of EPA sewer construction grants, during the three-year phase-out transition assistance period, Scheuring said.

The FSM board approved fiscal 1987 sewer construction projects, including 1) Nan Pohnmal sewer extension, Pohnpei; 2) Southfield-Pou Bay sewer extension, Moen; 3) Kosrae Sewer Project grant increase; 4) Kolonia sewer system corrections, Pohnpei; 5) Rural Sanitation Program, Phase II, Pohnpei; 6) Rural Sanitation Program, Phase II, Yap, and Rural Sanitation Program funds increase, Truk.

The board members are Chairman Robert Weilbacher, national government; Vice Chairman John Sigrah, Kosrae; Sabastian Anafal, Yap; Masao Nakayama, Truk, and Elsihner Ramon, Pohnpei.

The NATIONAL UNION

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