

The KASELEHLIE Press

This bi-weekly publication is \$1.00

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Roosevelt Kansou Convicted of Conspiracy Speaker Figir Declares His Congress Seat Vacant

By **BILL JAYNES**
The Kaselehlie Press

Chuuk, FSM – Former Senator Roosevelt Kansou's trial for conspiracy against the FSM ended with a court judgment that found him to be guilty of the crime. The conviction judgment documentation still has not been made public and few details are known other than that he was found guilty by the FSM Supreme Court in Chuuk.

Kansou was tried separately from co-conspirators reportedly due to differing legal strategies.

On April 4, in the morning session of the last day of the fourth special session of the 15th Congress, Speaker Isaac V. Figir made the following statement:

"I am receipt of Presidential Communication No. 15-173 transmitting certain court documents showing that Senator Roosevelt D. Kansou was found guilty of conspiracy as charged on March

10, 2008. This is a felony under our laws.

Article IX, Section 9 of the FSM Constitution states that a person convicted of a felony is not eligible to serve as a member of Congress.

"I have therefore declared that the seat occupied by Senator Kansou is now vacant.

I hereby request that in accordance to our Constitution and laws, the Executive Branch proceed with an election to select a replacement for Senator Kansou."

President Mori has acknowledged the Speaker's letter by noting that appropriate entities and officials have been notified of the vacancy in the 15th FSM Congress.

It was not always clear that this move would be made until after sentencing was pronounced. Under the most common understanding of law, according to attorney

sources, a person is not considered to be a "convicted felon" until the court binds the liberty of the person by pronouncing sentence. A person under a court ruled judgment of guilty cannot file an appeal until after he is sentenced.

Speaker Figir said that he didn't need to wait until a sentence is pronounced according to legal opinions he had received. He was, however waiting to receive a copy of the judgment in writing. That came through Presidential Communication 15-173.

Days before Figir's pronouncement one Senator privately expressed concern about the fact that the sentencing date had been moved from the previously announced date of April 2 until sometime in May. He had been

under the impression that sentencing needed to be in place before the seat could be declared vacant. Supreme Court officials said that the sentencing was continued to a later date because the FSM Public Defender's Office did not have the budget to transport Defense Attorneys for Kansou and Cholomay to Chuuk rather than

see "Vacancy" on page 7



Former Senator Roosevelt Kansou

Pohnpei Cultural Day



Monday, March 31 was an annual State holiday in Pohnpei State, a day to celebrate the culture of Pohnpei and Pohnpeians. Participants said that with increasing Westernization of the island the traditional culture of the islands could be lost if not for celebrations like the one held every year. Pohnpeians were urged to cling to their culture, a culture unique in all of the world. Participants lined up at the Spanish Wall ballfield for a parade through town to the PICS track where traditional events took place all day.

Chief Legal Counsel Is Not a Member in Good Standing on the FSM Bar

By **BILL JAYNES**
The Kaselehlie Press

(Palikir, Pohnpei) -Title 2 of the FSM Code never explicitly says that the Secretary for the Department of Justice has to be a lawyer or that the office holder has to be a member of the FSM Bar in good standing. It merely implies it since the Attorney General is the chief legal counsel for the nation and that person's signature is required on large numbers of legal documents that range from opinions as to whether a document is legally sufficient to full blown legal opinions for the nation. The Secretary for DOJ coordinates and is responsible for all FSM litigation in court.

Secretary Maketo Robert is a lawyer and as the Committee report recommending his nomination (J&GO 15-61) pointed out he is the second most senior Micronesian lawyer preceded only by Jack

see "Robert" on page 8

Congress Kills Nominations Then Changes Their Minds

In a Show of Statemanship Speaker Figir Leads Congress to Agreement in Long Session

By **BILL JAYNES**
The Kaselehlie Press

Palikir, Pohnpei - A good deal of what Congress considers in their deliberations on the floor is accomplished in committee meetings outside of the chamber. On many of the days of the 4th Special Session of the 15th Congress there was little or no business to consider on the agenda. On Thursday, April 3, the next to last day of the special session all of that changed. The committee work was done and it was time to act.

The Congressional day started as it usually does at several minutes past ten o'clock with an opening gavel and a moment of silent prayer, the roll call followed by the reading of the journal which is never read by the traditional motion of the Floor Leader Senator Suka.

There was very limited discussion on a Presidential communication on the FY-09 budget, and a mention of a State communication from Pohnpei's Governor John Ehsa.

Congress moved on to the adoption of committee reports most of which involved Presidential nominees for positions within the FSM Government.

I had arrived in the galley before Speaker Figir gavelled Congress to order but not in time to get a copy of the agenda for the day. Sitting in a session of Congress without a copy of the agenda is like sitting in a room full of people speaking in code without a secret decoder ring.

Congress passed, on first reading CB-111, a bill to appropriate an additional \$553,000, and CB-114 for usage changes for money appropriated in a previously passed bill. They passed CB-112 on first reading. I didn't know what it was but I did know that Chairman Peter Sitan moved for its passage. Someday it will be found on the webpage for Congress but not before this paper goes to press.

\$2.3 Million for Chuuk from where?

Congress spent quite a while discussing a bill that would appropriate \$2.3 million to aid Chuuk with their Reduction in Force (RIF) effort. Essentially that appropriation would be used to pay employees of the Chuuk Government who were recently laid off, a kind of severance pay to ease the pain of separation and to give them a cushion while searching for a new job.

The RIF is part of the Memorandum of Understanding Chuuk State negotiated with President Mori early in his administration as one of many methods to help Chuuk help itself out of the financial quagmire in which they have previously been sinking. According to recent reports the State has begun to at least tread financial water. Congress said on another day during their special session that they'd like to see a progress report from the Executive Branch regarding Chuuk's progress.

The \$2.3 million has been approved by the Department of the Interior for use in aiding Chuuk but the wording of the bill that would appropriate it, according to the Senators' discussion says the money will come from the General Fund of the National Government. Senators, several times mentioned in the session that even the Director of Statistics, Budget, and Overseas Coordination (SBOC) said he didn't know the source of the money.

Floor Leader Suka said that it was important that Congress act on the bill that would appropriate the money. He said that "there are already 300 people walking around [Chuuk] who have already left their jobs by State Law who have no help."

Senator Paul of Chuuk in one of the rare times he has spoken on the floor said that the number is closer to 400 and made an impassioned plea that Senators overlook the technical difficulties and vote for the Bill on first reading with a promise that questions could be answered by the final day's session.

Speaker Isaac V. Figir



Discussion on the floor about the issue of who makes the decisions in the country, Congress or DOI, sometimes grew heated. At least one Senator said that they were growing tired of being told what they should do by an outside entity. They questioned whether Congress had the authority to appropriate the money in question and why it was that the money wasn't given to the Chuuk State Legislature for appropriation instead since it was their issue.

As Senators spoke it seemed that the real issue revolved around the question of which legislative body was going to take the blame when the reduction in force plan didn't work.

Speaker Figir said that it seemed to him that Continental Micronesia is going to make more money because people from Chuuk will go to Guam, or Hawaii, or Saipan, spend the money and then come back.

Will RIF work? It didn't before...

"It didn't work before under the ADB Loan," he said of the plan that the National Government implemented closer to 400 and made an impassioned plea that Senators overlook the technical difficulties and vote for the Bill on first reading with a promise that questions could be answered by the final day's session.

See "Congress" on Page 6

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FSM Attorney General Looking Into Alleged Chuuk Human Traffickers

By **BILL JAYNES**
The Kaselehle Press

Chuuk, FM — The FSM Department of Justice has opened an investigation in an attempt to find out whether or not unidentified Chuukese citizens knowingly lured Chuukese women into a prostitution ring in Guam. Assistant Attorney General Kembo Mida is handling the investigation on behalf of the FSM.

On January 13 of this year several arrests were made in Guam in connection with an alleged prostitution ring operating out of the Blue House Karaoke Lounge located in the upper Tumon region.

The girls allegedly had been told that they were going to be waitresses or store clerks in Guam. It was only after the girls arrived that they found the true nature of what they had been recruited to do.

They were taken to a clinic in Guam where they received a shot for birth control allegedly against their knowledge.

The girls say that a woman and her daughter recruited them in Chuuk.

The arrests were made after a Chuukese female entered the police department and complained that her passport had been withheld by her employers. When police investigated they found what appeared to be an operating brothel at the Blue House Karaoke Lounge. They also found that other Chuukese women as young as 18 years of age were in the same situation as the complainant. The passports were allegedly being held because the owners of the lounge said that the girls had to work until they had paid off their airfare which the owners had paid.

The girls were forced to “please the customers” of the establishment and according to news sources they had both protected and unprotected sex with 3 to 10 men per evening. They were allegedly subject to verbal and sometimes physical abuse by the owner if they didn’t comply with the wishes of the customers. Some of the girls said that food was often withheld.

Investigators who made the initial arrests discovered one naked male within the establishment. Investigators found a make shift communal “sleeping quarters” for the girls who had been lured into the operation. They also found approximately \$250,000 in cash stuffed in vases and in clothing throughout the establishment.

The owners and some of the employees of the Blue House Karaoke Lounge are already fac-

ing charges from Guam as well as Federal charges for human traffic among other violations.

The FSM Department of Justice is seeking any information that might lead them toward finding out whether the unidentified Chuukese citizens who recruited the young Chuukese women were complicit in the arrangement with Blue House or if they were duped as well. With that in mind they made a plea on the Micronesian Seminar Forum on March 31 asking for assistance from anyone that might help them with information. They also wrote to the Attorney General’s office in Guam to see if they could assist them in finding the Chuuk recruiters.

The FSM Department of Justice can be contacted at email address fm DOJ@mail.fm or by calling 691-320-2608.

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FSM Appeals Court Affirms National Conspiracy Conviction

By **BILL JAYNES**
The Kaselehlie Press

FSM Supreme Court – On March 25, 2008 the FSM Supreme Court Appellate Division issued their ruling on the appeal of appellants John Engichy, John Petewon, James Fritz, Frank Darra and Rosemary Engichy. Justices upheld the guilty verdict against the appellants.

The case for appeal was heard before Presiding Associate Justice Honorable Martin G. Yinug, Temporary Justice Honorable Cyprian J. Manmaw, and Temporary Justice Honorable Aliksa B. Aliksa. Harry Seymour of Tofol, Kosrae was the attorney for John and Rosemary Engichy. Johnny Meippen, of Weno, Chuuk was the attorney for John Petewon. James Fritz was defended by the FSM Public Defender's Office. Julius J. Sapelalut of the FSM Public Defender's Office represented Frank Darra. The FSM National Government was represented by the Office of the Attorney General.

The original criminal case was heard in Chuuk from March 13, 2006 through April 8, 2006. On June 30, 2006 the court entered its judgment against John Engichy, James Fritz, John Petewon, and Frank Darra, convicting them all of criminal conspiracy. On February 6, 2007 the court entered judgment against Rosemary Engichy also convicting her of criminal conspiracy. All of the defendants filed an appeal and arguments on the appeal were heard

on December 10, 2007.

According to the documents setting down the Appellate Court's judgment "The conspiracy operated in the following general manner. The Engichys' businesses, Island Imports and Merry Sand Mining, would provide goods, materials and services to customers on credit to the Faichuuk Development Authority (FDA) and to the Northern Namoneas Development Authority (NNDA), government bodies created to facilitate development projects in Chuuk. These credit purchases would be authorized by Senator John Petewon for the FDA and by Senator Roosevelt Kansou for the NNDA, and would subsequently be paid from future congressional allotments of national government funds. As allottee for the FDA, Fritz would solicit local vendors to release goods, materials and services while ensuring subsequent payment from national government funds allotted in the future. Darra, the FSM Finance representative in Chuuk, would process the payments for the credit purchases representing goods, materials and services that had already been provided. Once funding became available and allotments made, fraudulent purchase requisitions would be created and processed through FSM Finance for payment and those payments would then be used to pay the credit accounts of FDA and NNDA being held by the Engichys' businesses.

"After a lengthy trial, all defen-

dants were convicted of conspiracy, 11 F.S.M.C. 203, to obligate national government funds in advance of availability and for purposes other than those for which an allotment has been made, 55 F.S.M.C. 221(2) and (3), as well as conspiracy to tamper with public records or information, 11 F.S.M.C. 529."

The appellants raised as the basis for their appeal the following:

"(1) Did the government file its Information within the applicable statute of limitations?

(2) Did the trial court commit reversible error in suggesting and allowing the government to amend its Information from alleging conspiracy to violate 11 FSMC 529 (2001) to alleging conspiracy to violate 11 FSMC 548 (1982)?

(3) Did the trial court commit reversible error in admitting Exhibit 400, the affidavit of Frank Darra?

(4) Do violations of the statutes underlying the conspiracy charge constitute national offenses as contemplated by the conspiracy statute?

(5) Is there sufficient evidence to support the trial court's findings of guilt beyond a reasonable doubt?"

On the issue of the statute of limitations the court said that conspiracy is regarded as a continuing offence so that the "statutory period of limitation begins to run from the time of the last provable overt act in furtherance of the conspiracy." The Attorney General in the original criminal proceeding only needed to prove that

there was at least one overt act in furtherance of the conspiracy that occurred any time after November 10, 2000.

The Engichy's in 2002 voluntarily submitted documents including amounts owed to them by NNDA and FDA as proof of legitimate debts owed to them. They submitted those documents to meet the demands of a collection action against them. The court said that the debts were illegally incurred and furthered the conspiracy.

In April 24, 2002 Fritz wrote a letter to the FSM Budget Office with the subject to "Balance Due to Local Vendors". He included the illegally incurred debts of NDA and FFDA and by doing so furthered the conspiracy. The court rejected the argument that Fritz was acting in his capacity as allottee and so the letter could not be considered an overt act.

The court said that those two independent actions took place and were committed by a member of members of the conspiracy within the three year statute of limitations.

The appeal court said that it did not commit irreversible error in suggesting and allowing the government to amend its Information by alleging conspiracy to violate 11 FSMC 548 instead of 11 FSMC 529. It said essentially that the court did not suggest the amendment but the defense counsel did in its motion for acquittal following the government's

See "Conspiracy" on page 7

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Palau President Barred from Continental Flight in Manila

Manila, Philippines – According to a news story published by the Philippine Daily Inquirer, Palau's President Tommy Remengasau was barred from boarding a commercial flight at the Ninoy Aquino International Airport (NAIA) on Wednesday. Malacanang and Department of Foreign Affairs protocol officers requested that the security procedures be waived as "due courtesy" to the dignitary. Remengasau and his party were stranded in Manila over night after Continental Airlines barred him from boarding flight CO 892 after the visiting head of State refused to be frisked.

While the flight that Remengasau was to have boarded was in the air a bomb threat was called in to the Police and it was forced to turn back. No bomb was found and police would not say



Palau's President Tommy Remengasau, Jr. and his wife Debbie

whether or not the two incidents might be linked.

Philippine Vice President Noli de Castro along with other Philippine diplomats was on hand to see President Remengasau off and tried to intervene but, said the Philippine Daily Inquirer, the airline refused to budge.

NAIA general manager Alfonso Cusi said that Continental would be investigated for refusing to grant courtesy to Remengasau, who was in Manila for a two-day state visit with his wife Debbie and an entourage of 11 officials.

The Philippine Air Force said that President Remengasau and his wife, left at 2:16 p.m. Thursday after being accorded departure honors at Villamor Airbase on board a Hawker-800 jet chartered by the Philippine government from San Miguel Corporation.

USDA-NRCS Helps People to Help the Land "Bare Soil is Bad! Protect it, cover it, or lose it."

By **BILL JAYNES**
The Kaselehle Press

(Pohnpei, FSM) - Brie Darr, currently stationed in the FSM and Scott Crockett stationed in Saipan have multiple missions but on the day that we spoke their message was united along one line, "Bare Soil is Bad! Protect it, cover it, or lose it." They are both employees of the US Department of Agriculture Natural Resources Conservation Service (NRCS). The NRCS says that it works to help people help the land.

Crockett is related to the American legend Davey Crockett. That relationship conjured in my mind picturesque images of farming as I knew about it in the US.

The tiller tills the open field in the open air. He exposes the top soil to the elements and labors on. He has history to back him in his labors. His ancestors planted and harvested in the same way and his great grandchildren will likely continue to do the same long after he is gone.

The tools he uses have changed. Gone is the drudgery of plowing furrows with mule drawn plows. The present day plowman is part of a well oiled machine and he is capable of daily plowing furrows across acres and acres of land sometimes while sitting in air conditioned comfort until the job is done. If his descendents rotate crops on

their land and systematically leave fields uncultivated in order to preserve the life giving soil, the land will be fertile forever.

"It takes about a hundred years to build up one inch of top soil," Darr said, "and the top soil is where all of the plants get their nutrients."

Crockett said, "Tropical environments have very specific requirements that are very different from mainland agriculture. You can't apply mainland, lower 48 types of practices to the island."

Darr interjected, "With all of the rain we get here in Pohnpei and all of the erosion, it [the topsoil] washes off and we really want to be sure that people take care of their land and their soil..."

Pohnpei experiences on average, nearly two hundred inches of rain fall per year and all of it falls on land that slopes toward the ocean. Unprotected topsoil exposed to that type of an onslaught is doomed to slough off into the ocean

Darr and Crockett recently conducted several training sessions as NRCS often does in the FSM without fanfare. Crockett said that in addition to a series of Forum Lectures sponsored by the College of Micronesia and the FSM Embassy, they also conducted contour farming training which helps tractor op-

erators and land owners to understand the problem of topsoil erosion and proper planning for plowing if they can't be talked out of doing it at all.

Crockett said that nearly anything can be grown in the forests of Micronesia but not in the same way as they are grown in less rainy areas and the forest itself helps to protect against erosion of the top soil. Even varieties of tomatoes can be

Japan contributes US\$ 184 million to the Global Fund to fight AIDS, Tuberculosis and Malaria

The Government of Japan provided a financial contribution of approximately US\$184 million to the Global Fund to Fight AIDS, Tuberculosis, and Malaria on Friday, February 29, 2008.

Every year, HIV/AIDS, tuberculosis, and malaria – the three major infectious diseases – kill five million people all over the world. The prevalence of HIV is steadily increasing every year in all regions including Asia. It is estimated that 33.2 million people in the world are now living with AIDS/HIV. With regards to tuberculosis (TB), the rapid increase of drug-resistant TB and co-infection of HIV and TB spreading particularly in Africa have emerged as new major challenges to be addressed.

grown in the forests with the right type of planning. Anyone who has tried to grow tomatoes in Pohnpei knows how difficult they are to grow because of their growth cycle. The NRCS helps train farmers to do it without endangering the top soil and protecting their farm land for future generations.

"Remember," they say as they leave the K-Press office, "bare soil is bad! Protect it, cover it, or lose it."

The contribution to the Global Fund, announced today, represents Japan's firm commitment to fight against the killer diseases. It also reflects the importance attached by Japan to the Global Fund which plays a pivotal role on the fight against infectious diseases.

With this contribution, Japan has accomplished a disbursement of US\$ 500 million to the Global Fund, pledged by then Prime Minister Junichiro Koizumi in June 2005. Now the total amount of Japan's contribution to the Global Fund has reached around US\$ 850 million. Japan will continue to support the activities of the Global Fund as it attaches importance to the fight against infectious diseases.

...Congress

continued from page 2

mented in the past to reduce the number of employees there. The National Government paid off employees who left their employ. Figir said that two years later those employees were back again for another job and the FSM Government was right back where it was before.

Senators said that if the bill passed there should be complete transparency in the spending of the money appropriated. Apparently, a confidential portion of the supporting work on the bill includes the names of the people who would receive severance pay. Senator Paul said that he felt that the information should be de-classified to promote transparency in the Government. Senator Sitan said that he felt that the recipients' names should be withheld to protect them from solicitations from their acquaintances. If I, as a reporter had those names I would not print them either for the same reason.

Senators ultimately voted to accept the committee report on the \$2.3 million grant with Senator Primo of Pohnpei issuing the only "nay" in the room. Senators passed the bill on its first reading. The second reading of the bill didn't occur until the final day's afternoon session.

An Anti-Nomination spirit?

It was on to item 18, the resolution calendar. Advice and consent of Congress for Presidential nominations is accomplished under this agenda item and the confirmations or denials are passed on to the President as Congressional resolutions. The proceedings were as quick as any in recent history with motions to pass resolutions being approved by voice vote, secret ballots distributed, voted on, and results announced in moments.

Cassiano Shoniber was the first victim and received a vote of 8 to 5 for the position of Secretary for the new Department of Education. It takes 10 votes to confirm a nominee.

Arthy Nena went down next in a vote of 6 to 7 for the position of MiCare Board member. Senators voiced their concern that currently 3 of the 5 board members work for the Department of Health and that the board was becoming unbalanced. Chairman Urusemal who chairs the Committee on Health, Education and Social Affairs said that it only seemed reasonable that the board should be unbalanced with board members who were health services experts since health

was what MiCare should be concerned with.

Ricky Carl passed Congress' scrutiny and will assume a position as a Board member for NORMA (National Oceanographic Resources Management Authority).

Mr. Carl Apis was the only nominee recommended by Chairman Welly's Committee on External Affairs that was approved. He and his family are currently in Beijing, China and by a vote of 11 to 2 he will remain as the Deputy Chief of Mission for the new FSM Embassy in China.

Senator Arritos of Chuuk hesitantly had to leave the session leaving only twelve Senators present in the Chamber. Senator Kansou of Chuuk was not present during the special session. Neither Senator's absence changed the fact that a nominee needs 10 votes in Congress in order to be confirmed.

Mr. Akillino Susaia was to be the Chief Consulate for the FSM in Hawaii but Congress, in a vote of 9 to 3 said that they did not consent.

Mr. Gerson Jackson was to be the Chief Consulate for the FSM in Guam but did not receive enough votes. There were 7 affirmative votes and 5 negative votes.

Renster Andrew who has been employed at the FSM Embassy in Japan for a number of years was to be the Deputy Chief of Mission but received an 8 to 4 vote.

Brakes rapidly applied...

It was apparent that the Congressional voting trend was not going well for Presidential nominees. Before any other nominee could be considered, Senator Welly of Kosrae made a motion for reconsideration of the candidates for Embassy and consular nominees. That motion was ultimately recalled since motions for consideration needed to be considered one by one but it was just the type of brake that Congress needed.

During recess, considerable discussion took place about the trend of denying Presidential nominees. Speaker Figir ended it all when he grinned and said, "You need to change your heart." He continued later, "Gentlemen, those of you that have been voting no, please change your vote. Your concern has been noted by the office of the President. We need to let the government go on for good or for bad." He said that the President had made his choices and that the FSM Government needs to move forward.

For each and every nominee that had been declined by Congress, members voted by secret ballot first on the issue of whether or not the nominee should be reconsidered and finally, by secret

ballot for confirmation. At one point in the proceedings the Speaker said with a sly grin, "Maybe Congress needs to appropriate more money for ballots." He was steadfast on the rules of Congress that require secret balloting for confirmations though earlier, Senator Halbert had asked for an open vote.

Reversal

Cassiano Shoniber was confirmed on reconsideration by a vote of 11 to 1. Speaker Figir said that he had seen Mr. Shoniber from a distance at the Cliff Rainbow hotel that morning and though he didn't speak with him it was clear that Shoniber really wanted the job of Secretary of Education. He challenged him to do the best job possible with the most important resource in the nation, its human resources.

The remaining reconsidered nominees including Akillino Susaia, Arthy Nena, Gerson Jackson, and Renster Andrew were confirmed unanimously by a vote of 12-0.

The agenda continued on and Mr. Lipwe was confirmed as the Deputy Chief of Mission to the United Nations in a unanimous vote.

James Naich will continue as Deputy Chief of Mission at the FSM Embassy in Washington D.C. because of an 11 to 1 vote in his favor.

Temporary hiccup?

Rensley Sigrah was nominated to be the National Representative to the Board of Directors of NORMA. Senators were concerned because the National Representative has traditionally been a National Government employee and therefore beholden to the Executive Branch to speak on behalf of the National Government. Sigrah is not a National Government employee. Some members felt that situation would be fine but not enough of them. The vote was 6 to 6 and he was not confirmed for the position.

Back to the agreement...

The nomination of Yalmer Helgenberger passed Congress scrutiny in a vote of 11 to 1. He will be a member of the Board of Directors of PetroCorp, the new FSM Petroleum Corporation. Redley Killion will join him as he passed confirmation in a vote of 10 to 2.

One last bit of legislation...

Chairman of the Ways and Means Committee Senator Dohsis

Halbert, though it was approaching 1:30 in the afternoon moved for CB107 to be removed from his committee and placed on the agenda for consideration. The bill would appropriate \$372,000 from the second tranche of the ADB loan. Some of that money would be related to privatization costs for the newly founded PetroCorp. He said that it was urgent that the legislation be passed on first reading on that day so that PetroCorp could complete the transactions that would make them the owners of Mobil facilities in the FSM.

Pohnpei State in its recent session signed on to the PetroCorp plan, the last State to come to agree to the plan. In order for the plan to work every State needed to sign the agreement.

There were considerable objections by Senators but ultimately a vote was held on first reading of the bill. Senator Paul and Senator Phillip left the room during the vote. Senator Moses had left earlier. The remaining nine Senators voted affirmatively on the first reading of the bill. Nine is just not enough and the bill went down in flames at least for this session.

Endings...

There were two sessions on the last day of Congress, one at 10:00 and the final one at 3:00 in the afternoon. At the 10:00 session following the announcement of Presidential Communications including Presidential Communication 15-173 which transmitted "for information a copy of the court orders in Criminal Case No. 2003-1508, FSM v Kansou and Cholymay, Speaker Figir began to make a statement and was promptly interrupted by a move for a short recess. Senator Halbert asked for permission to approach the bench and the two consulted for a moment.

When the consultation was over Speaker Figir continued to read his statement into the record. He said that since Senator Roosevelt Kansou had been convicted of conspiracy which is a felony crime that disqualified him from serving in the Congress he was declaring his seat vacant. The seat had been physically vacant for the entire Congress session but Figir's declaration officially ended Kansou's career as a Senator in the 15th Congress of the FSM.

In 2004 Emanuel "Manny" Mori was elected in a special Chuuk election that was made necessary by the resignation of Jack Fritz after Fritz was convicted in four of eleven criminal counts. Emanuel Mori finished that term and was re-elected. He is now the President of the FSM.

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...Conspiracy

continued from page 4

presentation of its case. It said that the two laws are substantively the same and that it did not substantially prejudice the rights of the defendant.

Further, it said that it gave the opportunity for Appellants to counter any perceived prejudice. "Where a party at trial claims surprise, and the judge offers that party a chance to cure any prejudice and the party makes the tactical choice to decline the opportunity, it is a tactical choice the party must live with and is not the basis for reversal."

The appeals court dismissed the notion of an ex post facto violation. An ex post facto violation essentially would be one in which a defendant is convicted for an act that was legal at the time it was committed. The court said that criminal conspiracy has been illegal since 1982.

As to the Appellants third question the Court said that the affidavit of Frank Darra in which he supplied an affidavit to the Court specifying his role in the conspiracy was not used as an evidentiary basis to convict anyone but Darra. It cited quotes from the court transcript that demonstrated that the affidavit was only being applied to Darra and then said that the other evidence presented by the Government in its case including financial statements, invoices, and other documentation, along with oral testimony was sufficient to convict the other participants in the conspiracy.

As to their fourth question regarding whether or not the statutes underlying the conspiracy charge constitute national offenses the court said, "The underlying offenses in the present matter involve improper obligation and expenditure of FSM funds and tampering with FSM official documents and information. It is difficult to see how these offenses could not be considered offenses against the FSM and we reject the

Appellants argument in this regard."

Regarding whether or not the trial court had sufficient evidence to issue a guilty verdict the appeals court said that "the trial court is allowed great discretion in the reception of circumstantial evidence, for a conspiracy must be proved by a number of indefinite acts, conditions, and circumstances with the purpose to be accomplished...Most conspiracy convictions are based on circumstantial evidence."

It said, "In denying the defendants' joint motion for acquittal following the government's case-in-chief, the trial court identified four specific overt acts in furtherance of the conspiracy that could be proved beyond a reasonable doubt: 1) Fritz' request for early delivery of a mayoral vehicle; 2) Fritz' letter 'To Whom It May Concern' purporting to commit \$100,000 in allotments for past due debts; 3) the submission of the purchase order for the aforementioned \$100,000; and 4) the practice of cash being given to customers holding NNDA authorizations for the value of out-of-stock items. These findings give us a clear idea of what the trial court was relying upon at this juncture in the trial."

The trial court also relied upon Doris Killion's pretrial statement and confirmed the basis for admitting the statement into evidence. The Appellants argued that since Killion would not confirm the "accusatory crux" of her pretrial statement when she testified at trial it was clear that the pre-trial statement was a fabrication. "...We find nothing in the record to suggest that the trial court abused its discretion in relying upon Doris Killion's statement, which was ultimately the most damning piece of evidence tying the conspiracy together...we find there is sufficient evidence to support the trial court's findings of guilt beyond a reasonable doubt."

The Defendants in having their conviction affirmed have exhausted any possibility of their conviction being overturned.

...Vacancy

continued from page 1

for any political reason. It was the result of a request by the Public Defender's Office.

The concerned Senator said that he thought that if Speaker Figir did not pronounce the seat vacant before the end of the session a law that would allow Chuuk's Governor Wesley Simina to appoint a replacement without a special election would be in force. He said that Congress felt it was important that the people of Chuuk

choose their own representative from amongst themselves.

Justice and Governmental Operations Committee Chairman Senator Peter Sitan said that Congress did not need to be in session for the Speaker to make the official announcement declaring the seat to be vacant.

Our understanding is that President Mori now has 50 days to declare a special election to fill the seat and that Congress must appropriate funds for that election. The fourth regular session of Congress is scheduled to take place in May which is well within the required timeframe.

...Robert

continued from page 1

Fritz, Legislative Counsel to the Chuuk State Legislature. He is not, however, a member in good standing of the FSM Bar.

The Justice and Governmental Operations Committee, according to its report (15-61) which is public record, knew that Mr. Robert was under suspension from the Bar of the FSM when they recommended him. The resolution recommending Robert was signed by all members of the committee except for Speaker Isaac V. Figir though he was present at hearings. The proposed resolution was signed on November 22, 2007.

The committee said that the charge that led to Robert's suspension was for termination of representation for clients in Chuuk but that "the violation of the rules occurred in an adversarial and highly politically sensitive context in the State of Chuuk that ultimately caused Mr. Robert to hesitate to communicate with his client."

The committee solicited and received written comments regarding Robert's nomination. The Micronesian Legal Services Corporation, Pohnpei Staff was not supportive of the nomination. They suggested "that when he left Pohnpei, he abandoned his clients without proper reassignment of his cases to other attorneys."

According to the public report another written comment by another attorney who once held the office of Attorney General said "I have no doubt that Mr. Robert can competently discharge the duties of that office'. However, she also expresses a concern regarding as she writes, 'the ethical standards we expect of the Justice Secretary'"

The committee said in its report that "the original suspension was imposed in December of 1999 [a 10 month suspension], the matter has now been unresolved for close to eight years. The report said, "the nominee has informed your committee that he has petitioned for reinstatement and that a finding has been made by the current disciplinary counsel. In view of this, your committee fully expects the court to enter an order soon."

Rule 13 of the Disciplinary Rules and Procedures for Attorneys and Trial Counselors Practicing in the National Courts of the FSM says that the court "shall set the matter for hearing within thirty (30) days. At such hearing, the petitioner shall have the burden of demonstrating that the petitioner

is qualified to practice law before the Supreme Court and worthy of the court's trust and confidence. At the conclusion of the hearing, the hearing justice shall enter an appropriate order within fifteen (15) days."

In the third special session of Congress the vote on Roberts' confirmation was deferred until the third regular session. Chairman Sitan of the J&GO Committee delivered a prepared statement expressing his disappointment in the Supreme Court for not making a timely ruling on the reinstatement of Robert to the bar.

The third special session took place in February. When the vote took place to confirm Robert, recently removed Senator Roosevelt Kansou did not ask to be excused from the vote because of a conflict of interest that should have been apparent since he was related to the nominee. He voted along with the rest of Congress and Robert was confirmed as Secretary of the Department of Justice with just enough votes.

Speaker Figir said in a recent interview that he should have seen the conflict himself but that Kansou should have asked to be excused from the vote. Because Kansou voted, Figir said that he felt that the result has been in question since that day in late February.

Not all of the Assistant Attorneys General have been admitted to the FSM Bar. Whenever there is a need for them to appear before the FSM Supreme Court they are required to file a *pro hac vice* affidavit. If accepted by the Court a *pro hac vice* affidavit would allow an attorney that is a member of the bar in good standing from another jurisdiction to appear be-

fore the court. The filing attorney's affidavit is scrutinized carefully. An attorney suspended from the FSM Bar would not be allowed to appear before the court.

The Assistant Attorneys General current who are not members of the FSM Bar working in the FSM Department of Justice are actually on the safest ground in terms of their legal standing compared to those that are members but only in terms of distance from their "home jurisdictions".

One of the grounds for disciplinary action under the FSM disciplinary rules and procedures under rule 2 reads as follows: "(h) (1) Practice of law with or in cooperation with a disbarred or suspended attorney, (2) maintenance of an office for the practice of law in a room or office used or occupied in part by a disbarred or suspended attorney, (3) permitting a disbarred or suspended attorney to use the attorney's name for the practice of law, (4) practice of law for or on behalf of a disbarred or suspended attorney, and (5) practice of law under any arrangement or understanding for division of fees or compensation of any kind with a disbarred or suspended attorney not authorized to practice law."

The fact that the court has not yet ruled on Secretary Robert's suspension means that Assistant Attorneys General could be at risk of their own suspension from the FSM Bar by the very nature of their employment relationship with him.

An attorney formally disciplined under the rules of the FSM Bar could additionally be disciplined in any other jurisdiction where he or she is a member of

the Bar because of commonly enacted reciprocal discipline rules.

Disciplinary rules require a disbarred or suspended attorney to file an affidavit with the Chief of the Clerk of the Supreme Court showing among other things "notification of the disciplinary action to all other jurisdictions in which the attorney is admitted to practice as may be required by the rules of such jurisdiction(s)."

FSM disciplinary action rules also require the Chief Justice to "cause a notice of the suspension or disbarment to be published in one or more newspapers of general circulation in the Federated States of Micronesia." This is in addition to rules that require that disbarred or suspended attorneys notify by registered mail with return receipt requested all clients they are representing in pending legal matters of the results of their disciplinary hearing. This is all done to protect the clients of the disciplined attorney. A formally disciplined attorney cannot hide from the fact that they have been disciplined.

Kohsak M. Keller, Chief Clerk of Courts at the FSM Supreme Court said that he was not allowed to discuss pending matters regarding the status of attorneys of the bar. Maketo Robert did not return our repeated phone calls nor did he respond to the email we were instructed by his office to send.

The FSM Rules and Procedures for attorneys seem clear. "The disbarred or suspended attorney, after entry of the disbarment or suspension order, shall not accept any new retainers or engage as an attorney for another in any new case or legal matter of any nature.

SPC Building Burns To the Ground in Pohnpei



Photo by Nige Jaymes

At 1:20 in the morning of April 4 the Pohnpei State Police received a call saying that the building occupied by the Secretariat of the Pacific Community was burning. The building was also occupied by the Pohnpei Island Food Community. Dr. Lois Englberger said that she had been in the building at 10:00 the night before and everything was fine. Since the power meter was melted some have speculated that is where the fire started but there is no official word. Approximately six weeks ago the building was burglarized.

The Island Food Community's new building has been done for three weeks but PUC still has not connected power or water to it so they had not yet made the move. They lost everything.

Picture Exhibition on China- "Beijing Welcomes You" at COM-FSM



Photo by Bill Jaynes

On March 25, 2008, Madam LIU Fei, Ambassador Extraordinary & Plenipotentiary of P.R.China to the F.S.M. hosted an opening ceremony of the Picture Exhibition on China- "Beijing Welcomes You" at COM-FSM. The Exhibition was scheduled from March 25 to April 3. Hon. Lorin Robert Secretary of Foreign Affairs, Mr. Kandhi Elieisar Assistant Secretary of Foreign Affairs, Mr. Ben Jesse Acting Secretary of Health and Sport, Mr. Kasio Mida Chief of Staff in President's Office, Vice President of COM Jean Thoulag, teachers and students attended the Exhibiton. Hon. Lorin Robert, Mrs. Jean Thoulag, and Ambassador LIU Fei addressed the opening ceremony respectively.

Hon. Lorin Robert lavished compliments on the friendship and cooperation between FSM and China in various fields. Olympic Games was a magnificent sports meeting celebrated by athletes and peoples of the whole world. Beijing Olympic Games will be bound to strengthen the already amicable relations between our two nations and peoples. The FSM athletes will try

to win medals in Beijing. The posters were excellent as well as educational to all.

Mrs. Jean Thoulag expressed her gratitude to the Chinese Government and Chinese Embassy for scholarships provided to COM graduates to pursue further education in China. The Exhibition on Beijing Olympic Games was warmly welcomed by students and the faculty.

Ambassador LIU Fei pointed out that China was the first developing country to host Olympic Games. The Chinese government and people warmly welcome President Mori and FSM men and women athletes to Beijing to attend the Olympic Games. FSM's involvement will surely strengthen friendship and the sports exchange between China and FSM peoples. In 2008, the Chinese Government will fully sponsor 17 scholarships for the local students and 137 seminars for officials and technicians to go to China.

The guests watched the posters with great interest, and all wished Beijing Olympic Games a remarkable success.

Stupid Editor Tricks

Volume 8 Issue 8 seemed to be jinxed for this editor. Though I consider Pohnpei's Lt. Governor to be a friend and am fully aware of his name I still wrote that his name was Winston Churchill instead of Churchill Edward. He thought it was funny when I told him. I was mortified and I apologize.

It must have been confusing for you to read an article entitled "Madolenihmw Launches Liemen" and then to read all about the launching that took place in Kitti rather than in Madolenihmw. You probably wondered why they would launch my friend Michael in Madolenihmw when he lives in Sokehs. Once again I apologize if I caused the good people of Kitti or Madolenihmw any distress over my erroneous headline. I meant you no harm.

Sometimes it's possible to "know too much". After five or six people told me that Kosrae's former Governor Rensley Sigrah was one of Lelu Water Company's owners it never crossed my mind to ask when Senator Claude Phillip and I spoke in Kosrae for a few seconds. Sigrah has no ownership stake in the company despite what I wrote and I apologize for getting that wrong both to Mr. Sigrah and to any readers who may have proceeded to conspiracy theories in your minds.

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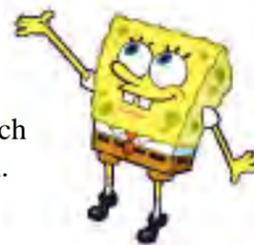
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K-Press Perspective

Readers From Around the World Support The Kaselehlie Press

On March 24th it became apparent that one of the vendors that provides a vital service to The Kaselehlie Press was not going to be able to continue to service our needs if we did not, within two weeks pay all that we owed to them. We had been chipping away at the outstanding debt but it was not happening fast enough. I certainly understand our vendor's situation because we quite often face the same problem in terms of customers paying their bills in a timely fashion. It's why we often get behind as well.

On Monday night, unable to sleep it hit me that I had never asked for help before and I, in the middle of the night wrote an email to everyone that has ever emailed The Kaselehlie Press whether I knew them or not. The recipients of that email included customer friends who still have outstanding balances at The Kaselehlie Press for advertising services. I also posted that plea for help on our website which currently is still a free service utilized by thousands of unique users each month.

I said in my email letter that I had noticed that when non-profit organizations in the FSM that truly need the help of the people of the country that you always respond generously. I believed with all of my heart that we would receive a few donations and that those donations might help us and that just maybe we would not have to interrupt our service for a while. Not for a minute did I ever expect the kind of outpouring that occurred!

By the end of Tuesday we had received \$2220 dollars in donations from people all over Pohnpei. One very generous donor walked in and plopped down \$1000 cash that day and then asked me to keep his/her identity a secret. For the next 30 minutes I could not get hold of my emotions of gratitude

and I frankly don't care what you think, I cried in gratitude and I'm not ashamed to admit it. I think maybe I embarrassed that donor.

One day in the mail there were donations of over \$800 from around the world and I received an email from a gentleman in the US who said that he and his wife wanted to support the paper. He gave me his pledge that he would match all donations up to \$2000. We are working on mobilizing that donation now.

Many donors wished to remain anonymous. I was surprised that of the donations only one was from a business. The Bank of the FSM donated money to help us continue our service. Even my father gave a generous donation by mail. I'd like to thank all of those donors that made it possible for us to raise \$4409 so far. This is the amount of the donations we have actually received. When we are able to mobilize the donation from the US the total amount will be \$6409.

I'd like to acknowledge and thank all of the anonymous donors who gave so generously. I'd also like to thank those donors who didn't mind if I released their names including: Andrew Wright, Ken Smithson, Rullens Phillip, Alisha Ada, Patterson Shed, Joel Joseph, Kate Rittner and Herner Paul, Chuck Light, Rebecca Messinger, Cecil Atwood, Merlyna Welbacher Smith, Dr. Elizabeth Lindsey, and Pohnpei Coconut Products.

Thank you all for believing in us and showing your outstanding support! Because of you we can continue to be your newspaper for today *and* tomorrow!

Bill Jaynes
Managing Editor
The Kaselehlie Press

Letters to the Editor

Foreign Investment and Protectionism

Dear Editor:

Last year, certain members of the Pohnpei State Legislature made

some amendments to the foreign investment law which I believe is mostly not positive in its message to investors from abroad. It's kind of worrisome to see these repre-

sentatives in our legislature taking lightly the kind of jobs and capital that these foreign companies can bring to our economy, especially, when they know that the potential for revenues realized is substantial and that they can help resolve the problematic fact that most of our employable young people are not employed at this time.

The State of Pohnpei has one of the highest unemployment rates in the world. In fact the whole FSM has this major problem. Every year there are hundreds of young people coming out of our High Schools and Colleges and these young people often end up with nothing to do. A lucky few, depending on your point of view, managed to join the military or leave to work in the U.S.

There probably is a line of reasoning going around, that our graduates should go into farming or fishing. But the point is, these graduates weren't taught by our educational system to be fisherman or farmers. Our educational system is mainly oriented towards providing skills and knowledge for our students to function in a market based economy and not a subsistence one.

It is discouraging for many of these same young people to realize that their diplomas or degrees might be useless here because there is no opportunity to apply what they have learned productively in jobs that the economy does not have. I believe, if we are to turn down foreign investors the opportunity to invest in Pohnpei we are denying the people of Pohnpei the right to better their lives, by denying them the right to those who they want to work for, or at what better wages.

The wages offered by some of our local business are quite dismal. For example - if we are to examine our local companies more closely we will find that most local companies pay their workers at a lower or at minimum wage which is \$1.35 an hour which we know equals to \$108.00 bi-weekly minus a combined income & Social Security tax of 6% each resulting in a take home pay of \$95.00. And that does not yet include deductions of utilities for water and power and the cost of gas or the cost of a Taxi going to and from work. Simple mathematics shows us that this worker is not making enough to live reasonably well.

My point is, if the local businesses

are protected by our representatives through enacted laws, then who will protect our citizens from local employers' practices that are at times very abusive and unfair. I believe it is right and proper that if the Legislature can make a law to protect local businesses from competition than I believe it is time for the same legislature to make laws ensuring that our citizens working for our own private business are given a fair wage, a safe and appropriate working environment and finally protection from local businesses that are pursuing unfair practices that hinder the well being of the individuals working for them if these laws have not already been implemented.

At this crucial juncture in time, Pohnpei State needs to move forward and modernize as quickly as possible. But it must modernize in a manner which brings along more opportunity for all, instead of just for a select few. Our state is faced with an enormous challenge today and that is to provide viable employment for a large and growing population of employment age. This can only be achieved with the assistance of foreign investors side by side with local businesses. These investors can go into manufacturing and other capital and labor intensive projects that our own local businesses are not capable of establishing due to insufficient money at their disposal or lack of will. This may, if given the opportunity and without unfair government interruption, create more jobs within a short span of time.

I agree with former Governor David and the representatives who had reservations about the law. This issue is very important because it is reasonable to guess that the local businesses are not able or are unwilling to employ at least 70 to 80% of the people who are at the age to be productive in our state today or to substantially raise their wages. It is up to our elected leaders to create an environment conducive to economic growth and then to continually support this frame of thought. The time for talking is over. The people need and want actions that will lead to better jobs and wages, and that will also provide them the means to enable them to better their lives and to live the Micronesian dream that they want or wish to live.

With great wahu and due respect to our Legislature, I remain.

Wine Thomas
Constituent and Citizen

Seen Any Good Movies Lately?



Southland Tales (2006)

When the United States is attacked by nuclear bombs in Abilene, Texas on July 4th, 2005, World War III ensues between the superpowers of the West and the combined forces of Iraq, Iran, Afghanistan, Syria, and North Korea. "Southland Tales" begins a few days before the third anniversary of the nuclear attacks in Texas, picking up with the story of a famous action star named Boxer Santaros who mysteriously shows up in the middle of the Nevada desert, stricken with amnesia.

Written and directed by Richard Kelly of "Donnie Darko" (2001) fame, "Southland Tales" is a vibrant discombobulated satire told in an unconventional style. In "Tales," Kelly employs dark comedy to discuss volatile political issues and contemporary mores of an America living in the aftermath of the events on September 11, 2001.

"Tales" boasts an ensemble cast lead by Dwayne Johnson, a.k.a. "The Rock" who ironically plays the action star, Boxer Santaros. Also famous in this film are stars like Sean William Scott ("The Rundown"), Sarah Michelle Gellar, Mandy Moore, Justin Timberlake, Cheri Oteri ("Saturday Night Live"), Wallace Shawn ("The Princess Bride"), Kevin Smith ("Dogma"), and Christopher Lambert ("Highlander"). Adding to the film's star power is the musician and activist, Moby, who being such a fan of "Donnie Darko," accepted Kelly's offer to create the original score for "Tales."

Upon learning that Richard Kelly had created another film, I could not contain my frantic excitement. Kelly's first full-length film, "Donnie Darko" is one of my dearest, ultimate favorite sci-fi thrillers of all eternity. I was so confident of Kelly's skill that I neglected to do any research about "Tales" before watching it. Alas, a little research would've revealed that not only is "Tales" nothing like "Darko," but also that

the movie is essentially the final three chapters of a much longer saga. There are three not-so-tiny graphic novels that actually precede the movie, thus explaining the distinct feeling that I had no idea what was going on in "Tales." After watching the movie, I dutifully researched the film, garnered information on its prequels, and ultimately found Kelly's story to be extremely inspired, creative, and a bit haunting.

Unless you have the time and inclination to read up on the movie's back-story, and if you prefer an easy-to-follow, formulaic movie format, I'd recommend that you skip "Southland Tales" as a movie rental. On the other hand, if you're a fan of Kelly's work, it is absolutely worth it to check out the movie's website, or read the FAQ about this movie on IMDB (The Internet Movie Database) to help explain the gaps in the film's story. I would also recommend dusting off your Bible to re-read the Book of Revelations, as it is liberally quoted throughout this movie.

"Southland Tales" is a bold, humorous, original film that depicts an alternate history of recent events that inexorably ushers the world as we know it into a Revelations-inspired apocalypse. If you're amenable to thinking outside the box, "Tales" is a worthy movie to experience.

This movie is rated R for language, violence, sexual material, and some drug content.

Dan in Real Life (2007)

For a more comforting comedy that requires no research and involves no mind-bending tricks, there is "Dan in Real Life," a wonderful comedy newly out on DVD.

When widower Dan Burns rounds up his three young, spirited daughters for a customary family get-together at his parents' house, little does he expect that his routine life of single-

parenting is about to take an exciting change for the better. The hilarious Steve Carell, who's renowned for his comical timing in the TV show "The Office," and the 2005 hit "The 40 Year Old Virgin," stars as Dan in this sweet domestic comedy that affirms the unpredictability of love and life.

In "Dan", Carell is joined by an equally talented supporting cast. Juliette Binoche ("Chocolat"), Dianne Weist ("Law & Order"), John Mahoney ("Frasier"), Amy Ryan ("Gone Baby Gone"), and Emily Blunt ("The Devil Wears Prada"), are among the list of great actors that help support this winning film.

"Dan in Real Life" was directed and co-written by Peter Hedges. In addition to directing, Mr. Hedges is a seasoned novelist and screenwriter with works like "Pieces of April" (2003), "About a Boy" (2002), and "What's Eating Gilbert Grape" (1993) on his resume. Hedges has a knack for writing intelligent, observant, and engaging stories about seemingly mundane familial themes. Mr. Hedges is also a big fan of the Norwegian singer-songwriter, Sondre Leche, and frequently features his mellow ballads in

this movie.

One of the film's most endearing qualities is Dan's social ineptitude that quadruples when he's in the presence of his new romantic interest. Carell's skill as an actor prevents Dan's awkwardness from becoming farcical. Instead, his struggle is entirely believable, and for some of us, completely identifiable. The supporting cast is equally memorable in their roles, especially Dan's three daughters, played by Alison Pill, Brittany Robertson, and Marlene Lawston.

"Dan in Real Life" is not your typical comedy, for all the right reasons. It needs no lewdness, nudity, or vulgar jokes to make you laugh out loud. I earnestly recommend this film to anyone in search of a great story with real humor that will keep you smiling until the end of the show.

This movie is rated PG-13 for some innuendo, and is great for watching with your family or your significant other.

Enjoy the springtime, and always make time to be kind, rewind, and watch for these great movies on DVD.



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Federated States of Micronesia
Department of Education
Special Education Program

Public Announcement

The FSM Department of Education announces that an application for funding under the Individuals with Disabilities Education Act (IDEA) is being submitted for Fiscal Year 2008. The FSM receives funding under IDEA to provide special education and related service programs for eligible children with disabilities and their families.

IDEA requires that the annual application for funding be made available for Public Review and Comment. Consistent with this requirement, The FSM DOE announces that the Annual State Application under Part B of the Individuals with Disabilities Education Act as Amended in 2004 for Federal Fiscal Year 2008 will be submitted to the U.S. Department of Education, Office of Special Education on May 16, 2008.

The FSM Department of Education announces that a 60 day public review period and a 30 day public comment period will be available to allow the public an opportunity to review the application and to makes comments. The dates for the 60 day public review will be from March 17, 2008 – May 15, 2007. The 30 day public comment period will be from April 15, 2008 – May 15, 2008.

Additionally, the FSM DOE announces the revised “FSM Special Education Procedural Manual”, the “Special Education

Astronomical Tide Prediction				
April 9 - 22, 2008				
POHNPEI, KOSRAE			CHUUK	
Wednesday	09 Wed 04:48AM 4.6 11:27AM 0.9 05:07PM 3.0 10:38PM 1.1	16 Wed 01:43AM 3.2 07:16AM 1.7 01:20PM 3.7 07:47PM 1.1	09 Wed 03:34AM 2.5 11:47AM 0.3 03:12PM 0.5 07:50PM 0.1	16 Wed 03:07AM 1.3 07:17AM 1.1 12:46PM 1.6 07:42PM 0.3
Thursday	10 Thu 05:23AM 4.4 12:16PM 1.2 05:38PM 2.5 10:56PM 1.3	17 Thu 02:00AM 3.6 07:53AM 1.4 01:54PM 3.8 08:06PM 1.1	10 Thu 03:59AM 2.4 07:36PM -0.1	17 Thu 02:16AM 1.4 07:38AM 0.9 01:12PM 1.5 07:33PM 0.4
Friday	11 Fri 06:02AM 4.0 01:26PM 1.6 06:11PM 2.1 11:00PM 1.6	18 Fri 02:20AM 3.9 08:26AM 1.2 02:23PM 3.8 08:25PM 1.0	11 Fri 04:24AM 2.3 07:33PM -0.2	18 Fri 01:58AM 1.7 08:04AM 0.7 01:33PM 1.4 07:27PM 0.4
Saturday	12 Sat 06:55AM 3.7 04:35PM 1.7	19 Sat 02:41AM 4.2 08:56AM 1.0 02:49PM 3.7 08:43PM 1.0	12 Sat 04:49AM 2.1 07:39PM -0.2	19 Sat 01:58AM 1.9 08:30AM 0.5 01:52PM 1.2 07:24PM 0.4
Sunday	13 Sun 08:51AM 3.3 06:36PM 1.5	20 Sun 03:03AM 4.4 09:25AM 0.9 03:14PM 3.5 09:01PM 0.9	13 Sun 05:12AM 1.9 07:48PM -0.2	20 Sun 02:08AM 2.1 08:57AM 0.4 02:08PM 1.1 07:24PM 0.4
Monday	14 Mon 11:26AM 3.4 07:04PM 1.3	21 Mon 03:26AM 4.5 09:54AM 0.9 03:37PM 3.3 09:19PM 0.9	14 Mon 05:21AM 1.6 08:33AM 1.5 10:59AM 1.6 07:52PM 0.0	21 Mon 02:23AM 2.3 09:25AM 0.3 02:23PM 0.9 07:26PM 0.3
Tuesday	15 Tue 01:36AM 2.8 06:26AM 2.1 12:36PM 3.6 07:27PM 1.2	22 Tue 03:49AM 4.5 10:22AM 1.0 03:59PM 3.1 09:36PM 1.0	15 Tue 04:33AM 1.4 07:12AM 1.3 12:09PM 1.6 07:50PM 0.1	22 Tue 02:41AM 2.3 09:54AM 0.3 02:33PM 0.8 07:29PM 0.3

Continuous Improvement Monitoring System Procedures”, and the “FSM Special Education Pre School Guidelines” are also available for public review and comment during the dates identified above.

A Public Hearing will be conducted in each FSM State on Friday May 2, 2008 at 6:00pm. The Public Hearing will be conducted at the Department of Education in each State.

Copies of the application and revised special education procedural documents are available at each State Department of Education. Please submit any comments concerning the application to:

Mr. Arthur Albert
 Executive Director
 Special Education Programs
 Department of Education
 P.O. Box P
 Kolonia, Pohnpei
 FSM, 96941

Comments may also be submitted via email to: arthur.albert@fsmed.fm

Additional information can be obtained by calling 691-320-8982

CROSSWORD PUZZLE

1	2	3	4	5	6	7	8	9	10	11	12	13
14					15				16			
17					18				19			
20			21	22				23	24			
		25						26				
27	28	29			30		31	32	33			
34				35			36			37	38	39
40				41	42	43				44		
45				46					47	48		
			49				50	51		52		
53	54	55	56				57		58			
59					60		61			62	63	64
65					66	67			68	69		
70					71				72			
73					74				75			

- ACROSS**
- | | | |
|--------------------------|-------------------------|------------------------|
| 1. World-weary | 16. Gullet | 23. Spirits |
| 6. Barbecue needs | 17. Highway sign | 25. Peter or Ivan |
| 10. Shaker filler | 18. Can in a machine | 26. Put back to normal |
| 14. Grammarian's concern | 19. Pol's office worker | 27. You of old |
| 15. Milky gem | 20. ___ on the back | 30. Magnate |
| | 21. Complainer's sound | |

- ### GO UP AND DOWN
- | | | |
|-----------------------------------|------------------------------|------------------------------|
| 34. It's between here and there | 70. Stadium level | 25. Nudge alternative |
| 36. Really steam | 71. Greek garb | 27. Do a pratfall |
| 37. ___ a plea | 72. They get you in deeper | 28. College residence |
| 40. "___ be back!" | 73. It has a ripple effect | 29. Just |
| 41. It ruins the ending | 74. Where to plant | 31. "Hear ye" guy |
| 44. Color | 75. Way to a man's heart | 32. It might be crude |
| 45. Tissue layer | | 33. Juan's "Whee!" |
| 46. ___ of conduct | DOWN | 35. Companion |
| 47. Everyday riser | 1. Use a trampoline | 37. Indian tea |
| 49. Met set | 2. Fishing, perhaps | 38. Boot out of office |
| 52. Mental faculties | 3. Pub missile | 39. Casa critters |
| 53. Following | 4. It might be over easy | 42. Mom's mate |
| 57. Unabridged dictionary for one | 5. Judges | 43. Tribute |
| 59. Crepe kin | 6. Sinner's unit | 48. Baa ma |
| 61. Go up and down | 7. Story's second word | 50. Like many drunk singers |
| 62. ___ sum | 8. Good and ugly alternative | 51. Tofu bean |
| 65. Parent's sister | 9. Throw down | 53. Lessen |
| 66. Symbol | 10. Frighten | 54. Brake ___ |
| 68. Having a lot to lose | 11. Operatic solos | 55. Like a pitchfork |
| | 12. Dispense soup | 56. Item in a crossword grid |
| | 13. Canary comment | 58. Simoleons |
| | 22. Granola grain | 60. Annoying spots |
| | 24. Unpleasant | 61. One like a lama |
| | | 62. "___ Santa..." |
| | | 63. Ain't right |
| | | 64. Lookout spot |
| | | 67. Pigeon patter |
| | | 69. Ghost's "Gotcha!" |

K-Press Puzzle Pleasure SOLUTION IN NEXT ISSUE

W	R	C	N	E	Z	U	E	E	Z	S	C	L	D	R
P	E	R	C	H	K	A	T	N	A	H	P	E	L	E
O	T	U	E	H	E	T	E	L	O	H	R	D	O	T
H	A	R	D	V	R	S	E	C	O	I	W	N	G	O
S	W	F	A	R	O	I	O	U	A	M	W	A	S	H
I	H	Z	R	R	A	L	S	H	T	F	E	F	L	E
F	G	R	T	H	A	E	C	T	H	G	I	N	K	L
P	O	T	A	T	O	L	B	A	M	D	B	I	I	P
C	K	L	E	C	U	R	P	S	K	A	R	Z	B	W
O	B	M	M	K	R	H	I	O	F	E	S	I	O	N
L	I	G	H	T	N	I	N	G	P	R	L	Z	P	E
L	R	B	A	P	T	M	E	P	O	B	E	A	L	A
A	C	E	B	L	W	V	E	U	F	O	G	P	H	D
R	H	L	E	W	F	P	U	T	N	E	D	S	A	W
T	D	T	A	S	G	O	F	R	S	H	V	S	A	P

White-Out

Test your powers of word association and puzzle prowess with this word seek whose hidden words of four or more letters can all follow WHITE. We have looped one word to start your list and provide the first letter of those remaining.

BEARD	G	P
B	G	P
B	H	P
B	H	P
C	H	R
C	K	S
C	L	S
C	L	S
C	M	W
C	M	W
E	N	W
F	P	W
F	P	W
F	P	Z

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Pohnpei, FM
96941

For Sale or Trade

55 HP Suzuki oil injection out-board motor.
Has all throttle controls and engine stands on wheels
Too large for my 12 ft. inflatable
Would prefer to trade for a 25 or 30 HP motor
but would sell for
\$875.00



Call Ron
320-1001

LAND FOR LEASE

LAND SITUATED AT CAPITOL, PALIKIR, STATE OF POHNPEI, CONVENIENT LOCATION, ABOUT 50 YARDS BEFORE THE FSM BUILDINGS, AND NEAR THE NEWLY BUILT FSM RESIDENTIALS. ACCESSIBLE TO MAIN ROAD, POWER AND WATER, 100 SQ/FT X 100 SQ/FT.

FOR INQUIRIES: CALL EMY 920-1829

The Chuuk Chamber of Commerce holds its meetings every third Tuesday of the month at 11:00 a.m. at alternate venues. The schedule of meetings for the next three months are as follows:

February 19 - The Balas Restaurant Conference Room

March 18 - Truk Stop Hotel/Restaurant VIP Room

April 15 High Tide Restaurant VIP Room

For more information call Mrs. Helen Aten at telephone number 330-2386

The deadline for Ads, News Items, or Letters to the Editor for the next issue is April 18, 2008

K-Press Puzzle Pleasure

LAST Issue's Solution
Word Search

LAST Issue's Solution
I Like That!



Puzzle A
Bible
Quote



Puzzle B
V - Words



COMMUNITY BULLETIN

- Alcoholics Anonymous meets every Wednesday at Cantero Hall at the Roman Catholic Vicariate office at 7:00 p.m. Public welcome. For details, call 320-8365.
- Pohnpei Lions Club meets monthly every 4th Tuesday at Cliff Rainbow Restaurant at 6:30p.m. Public Welcome.
- The Christian Ministerial Association of Pohnpei meets the third Wednesday of each month at 10:00 a.m. in Cantero Hall at the Roman Catholic vicariate office.
- Devotions every Sunday 9:30 a.m. at the Bahai Center in Dolonier. For details, call 320-2182.
- Habitat for Humanity Pohnpei holds their meetings every Tuesday from 11:30 a.m.-12:30 p.m. at the Sei Restaurant.
- Soccer practice/games at PICS field Monday, Tuesday, Thursday 5:30 p.m. Everyone welcome.
- The Rotary Club of Pohnpei holds its weekly meetings Thursdays at 12:15 p.m. at PCR Nantehlik.
- St John's Catholic Church in Kosrae conducts services every Sunday at 9:30 a.m. For further information, call 370-3240 or 370-3209.
- FANGO holds its monthly Issue Based Dialogue (IBD) on the last Wednesday of each Month at the Sei Restaurant at 12:00 p.m. to 1:00 p.m.. The public is welcome.
- The Rotary Club of Truk Lagoon holds its weekly meetings every Wednesday at 12:00 Noon at the Truk Stop Hotel Restaurant VIP Room. You are welcome to attend and can contact us at rotarycluboftruklagoon@yahoo.com

The Community Bulletin is a free message board exclusive to announcements. To post your announcements to The Kaselehlie Press

P. O. Box 2222 Pohnpei, FM 96941
 fax to: (691) 320-6571
 phone to: (691) 320-6547
 email to: kpress@mail.fm

ANOTHER CLASSIC
LIMERICK BROUGHT TO YOU BY
TRASHBUSTERS
There once was a girl named Irene,
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And since then has never benzene!
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PLEASE HELP KEEP POHNPEI ISLAND
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CALL 320-3868 or 320-5058

Let's Go Local High School Club Learns to Teach about Local Foods

By **Dr. LOIS ENGLBERGER**
Pohnpei Island Food Community

The enthusiasm of the Let's Go Local High School Club is shown by their interest in learning about the benefits of local foods and teaching about this to others.

On 17 March, 2008, 16 members of the club took part in a training held at Nihco Marine Park, as coordinated by the Island Food Community of Pohnpei (IFCP). The members were freshmen up to senior class students from Pohnpei Island Central School (PICS) and Seventh Day Adventist (SDA) High School.



Photo by Kathay Larsen

The Let's Go Local High School Club members learn about Pohnpei bananas at Nihco Marine Park on 17 March 2008, including Karat, the State Banana of Pohnpei (back row, third from left) and Utin Iap (the bunch held above the poster).

Gailliard Eliou, President, and Ryan Yamada, Vice-President, opened the training and assisted throughout, and Miuveen Diana, Acting Secretary, kept the participant list. The IFCP facilitators included Dr. Lois Englberger, Kathay Larsen, and Sylvia Nennis.

The students learned first about the "CHEEF" benefits of local foods. "CHEEF" is an acronym referring to the main benefits of local foods: **C**ulture, **H**ealth, **E**conomic, **E**nvironment and **F**ood security.

The students identified nine varieties of Pohnpei banana: *Utin Iap*, *Karat*, *Mangat*, *Iemwahn*, and *Akadahn* (which contain

yellow or orange flesh) and *Utin Menihle*, *Inahsio*, *Utin Ruk*, and *Kaimana* (which contain white or cream flesh).

They learned:

- 1) that yellow- or orange-fleshed varieties are carotenoid-rich and the most important provitamin A carotenoid is beta-carotene;
- 2) that carotenoid-rich foods help protect against cancer, heart disease, diabetes, vitamin A disorders (infection and vision problems), and anemia (weak blood);
- 3: that all bananas contain at least some carotenoids and rice

contains none at all; and 4) that all bananas are rich in vitamins and other nutrients and contain a mood enhancer, which helps make people happy.

The colorful Pohnpei Bananas and Pohnpei Carotenoid-rich Food posters present about this "Yellow Varieties Message." It is the aim of the Let's Go Local High School Club to teach about these posters. Since the club was formed in 2006, members have taught on this to Ohmine, Kolonia and Nett Elementary School students. Also they have distributed the

posters to shops and offices in Kolonia town in Pohnpei.

The students practiced giving short lectures on the posters and prepared for their next community service, which is to teach about the values of local foods, focusing on bananas, to further Pohnpei elementary school students and others.

Thanks are extended to the New Zealand Embassy and GEF Global Environmental Facility Small Grant Programs for providing the funds for the training.

Dollar Up Enterprises



Adult Zorries
~ \$1.99 ~



Adult Diapers
~ 55¢ ~



Sunny Powdered Soap
~ \$1.65 ~

Officials relocated 20,000 islanders in the year 2000 from Duke of York Island, one of the islands off Papua New Guinea.



URGENT QUIZ
To save our planet, we should:

1. Go Veg? Examples of nutritious, life saving food:
2. Drive Biofuel / Hybrid Vehicles? Aerofuelics and Space Administration (NASA) climate scientist Jay Zwally predicts that nearly ALL THE ICE COULD BE GONE from the Arctic Ocean by THE END OF SUMMER 2012.
3. Plant More Trees? Tofu (from soy) 16% protein
Guten (from flour) 70%
Corn 13%
4. Change to Renewable Energy? Save our Lives! We Love You
5. Pray? EROU + ESEHL :BAMSNV

QUESTION: Master if you had a message for the world, what would it be?
SUPREME MASTER CHING HAI: That I love them very much.

Thank you for your compassion

Go VeggieGreen!

Annual Sea Ice Minimum
Ex: 5 million
2007 record/low

HEATED REGIONS SINCE 1879
ICE COVERAGE 2007
Based on NASA data

We pray for you

1885
1985
2012

FOR MORE URGENT DETAILS: www.SupremeMasterTV.com

THE ICE THAT MELTS TOO FAST
THE CLIMATE THAT CHANGES TOO QUICKLY

ARCTIC SEA ICE REFLECTS ABOUT 80% OF THE SUN'S HEAT, STABILIZING THE COLDER TEMPERATURES OF THE OCEAN.

Based on the latest satellite data cited in a December 2007 article, National Aeronautics and Space Administration (NASA) climate scientist Jay Zwally predicts that nearly ALL THE ICE COULD BE GONE from the Arctic Ocean by THE END OF SUMMER 2012.

Because if the ice all melts, if the poles all melt away, and then if the sea is warm, then the gas will be released from the ocean, and we'll all be poisoned by the gas from the ocean. It's a lot of gas, enough to kill everyone.

If you see the Singapore lecture (January 10, 1995), I already warned that we have to change the way we live; otherwise it's too late. That was 10 or 15 years ago. Or before that, I always talked about how we deforest our planet. Meat eating and all that contributes to a lot of damage to our Earth planet.

Scientists say many things. They are listening now, but I just hope they do it fast. It just takes action.

Because the ice is reflecting the sun, you see, so it sends it back into space, but the ice is melting so fast now that there's not enough reflection and because the sea is already warm, it melts the ice. And because the ice melts, the sea is warmer. You see what I mean, the cycle?

The way it is going, if they don't fix it, in 4 or 5 years time, finito. No more.

It's really that urgent

Long Life to You!

Supreme Master Ching Hai
World-renowned humanitarian, artist and spiritual teacher
December 25, 2007 - Paris Seminar

FOR MORE URGENT DETAILS: www.SupremeMasterTV.com

QUESTION: A United Nations report on 2007's natural disasters says nine of the ten worst resulted from climatic disturbances. I wanted to ask if you have a message for the leaders of the world, what would you say to them?
SUPREME MASTER CHING HAI: I would say to them to use their mighty power to change the diet of the planet, and adopt immediately new technology and renewable energy. Also, set an example themselves by becoming a vegetarian or vegan. Use their mighty power to set a new diet for the planet, the vegetarian diet.

FOR MORE URGENT DETAILS: www.SupremeMasterTV.com

“Don't eat meat, ride a bike, and be a frugal shopper! that's how you can help brake global warming.”
— Rajendra Pachauri, Chief of the UN's Intergovernmental Panel on Climate Change

ARCTIC ICE (SEPT 2007)
• 23% below previous record low (from NASA satellite data)
• 50% below 1950 levels (from ship data)

OTHER RECORDS
• Greenland surface ice loss is now 400% greater than 15 years ago.
• Surface temperatures in the Arctic are the highest in 77 years of record keeping.

THERE IS HOPE
According to James Hansen, top climate scientist for NASA: “We have passed tipping points. We have not passed a point of no return. We can still roll things back, but it is going to require quick turn in direction.”

Soy beans, kidney beans, chick peas, lentils, etc. 10-35% protein
Almonds, walnuts, cashews 14-30%
hazel nuts, pine nuts, etc.

Change Your Life
Change Your Heart
Change Your Diet
No more killing
Be healthy and loving

Available worldwide on 14 satellite stations
Galaxy 25, Hispasat, Intelsat 907, ABS, Astra 1, AsiaSat 2, AsiaSat 3S, Intelsat 10 C-Band, B Sky B, Intelsat 10 KU-Band, Optus D2, Eurobird 1, Eurobird 2, Hotbird

Rice 8.6% protein
Pumpkin seeds, sesame seeds, sunflower seeds, etc. 18-24% protein