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Governor Ehsa moves for two of three tribunal judges to be dismissed for conflicts

By **Bill Jaynes**
The Kaselehlie Press

September 9, 2015

Pohnpei, FSM—This afternoon Pohnpei’s Governor John Ehsa filed a motion with the Impeachment Tribunal to disqualify Justices Nickontro Johnny and Benjamin Rodriguez from sitting on the tribunal. The motion was supported by an affidavit from Governor Ehsa.

The motion says that Attorney Kembo Mida, who was hired by the Pohnpei State Legislature as the Special Prosecutor on the Impeachment matter, is also currently serving as personal legal counsel for both Justice Johnny and Justice Rodriguez.

It also claims that “approximately a year ago, as a consequence of his domestic difficulties, Justice Johnny asked Governor Ehsa as a favor, to provide him with cost-free government housing, and also to appoint his ‘promise brother’, Dion Neth to the State Supreme Court bench, neither of which the Governor could justify.” That claim was backed by Governor Ehsa’s sworn affidavit.

The motion points out that Tribunal Justice Johnny recused himself from presiding over *Kostka v. Kostka*, PCA No. 290-10 because of a conflict in the case because he had retained Kembo Mida, Esq., as his personal legal counsel to represent him in another case.

The motion also says that “any reasonably informed Pohnpeian would agree that as a result of (Johnny’s) urgent housing request being rejected by Governor Ehsa, Justice Johnny may bear a grudge against him and that his ‘impartiality might reasonably be questioned’. The additional refusal of Governor Ehsa to appoint Johnny’s ‘promise brother’ to fill a vacancy on the State Supreme Court would add to a potential temptation to use his judicial role in the matter of impeachment to retaliate against Governor Ehsa.

The Governor’s motion says that while the law can sometimes allow a judge to preside in a matter where he might otherwise be conflicted out when it is a question of necessity, that legal principal does not apply in this case. “Necessity, when sparingly invoked, oblige judges to hear and decide cases from which they ought otherwise to recuse themselves or be disqualified, if no other judge is available to hear the case.” The motion says that in this case there are currently more than ten alternate, qualified judges in Pohnpei who are not subject to disqualification to hear the impeachment case.

“For Chief Judge Rodriguez and Associate Justice Johnny to sit on this impeachment panel in light of the fact that both have retained the professional legal services of the Special Prosecutor in this impeachment case, places Governor Ehsa at a distinct unfair disadvantage of inherent prejudice per se, and violates due process rights under the FSM Constitution,” the motion argues.

The motion says that one of the aspects of the right to due process of law is the right to be tried or heard by an impartial adjudicator.

“Under Pohnpei statutory law, a party moving for disqualification of a judge must do so before trial or hearing unless good cause is shown for filing it at a later time...No set trial or evidentiary hearing date is now imminently pending in this matter,” the motion says.

At press time the Pohnpei State Supreme Court impeachment tribunal had not yet made a ruling on the motion.

IOM Typhoon Assistance in Micronesia tops \$10 million

Federated States of Micronesia - Over USD 10 million – the lion’s share from USAID - has been allocated to support some of the most remote and delicate communities on the planet, in the far-flung Federated States of Micronesia (FSM).

Typhoon Maysak hit the northern Pacific earlier this year, causing millions of dollars in damage and claiming five lives. As USAID’s primary implementing

See “Typhoon Assistance” on page 7



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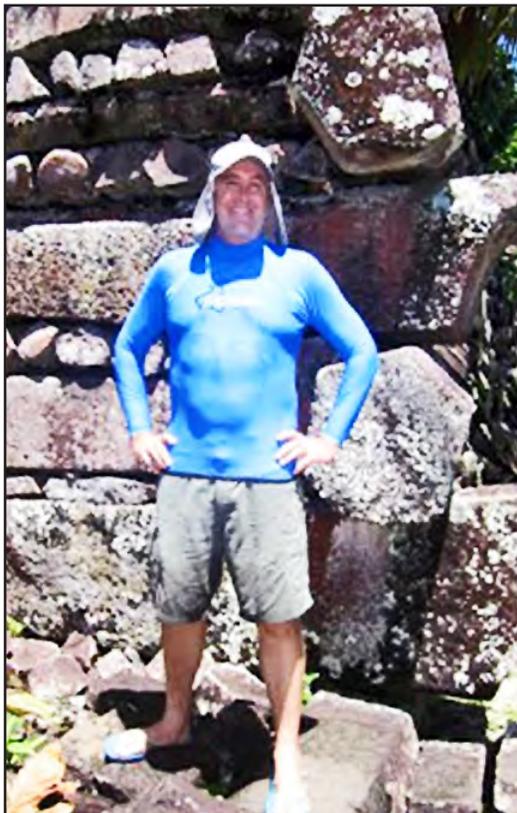
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The Bill Raynor Micronesia Challenge Scholarship Fund Established

In honor of Bill Raynor (February 22, 1957 – September 1, 2015), Director of The Nature Conservancy Pacific Division, and his 34 years of conservation work in the region, the Micronesia Challenge Scholarship Fund he helped establish to support emerging leaders in the region has been renamed the Bill Raynor Micronesia Challenge Scholarship Fund. As a longtime resident of the island of Pohnpei in the Federated States of Micronesia, Bill learned the Pohnpeian language and earned a Pohnpeian honorific title Soumadau en Peini Eng Eih—*the Lord of the Altar of the East Wind*—for, among other deeds, growing giant yams and being considered a true Pohnpeian master agro-forester. In 1992, he helped launch the Conservancy’s program in the FSM, focusing on innovative, community-led conservation and building partnerships. Bill lived life, including his end of life, on his terms—fully, with love, and with a commitment to others and to the world.



Bill was deeply committed to building future conservation champions in the region throughout his life, and established this scholarship fund in February as another way to help achieve this. For more information, please contact Mr. Willy Kostka at director@ourmicronesia.org. You can also give directly to the fund, by visiting MCT’s website at <http://www.ourmicronesia.org/> and clicking on the “Donate” button in the upper right corner.

New power plant for Pohnpei

Pacific Daily News

The municipal government of Madolenihmw, in Pohnpei, recently signed a memorandum of agreement with KP Energy Corporation, out of Korea, to build, operate and eventually turn over a 5-megawatt power plant.



According to Jayden Im, the company’s vice president, KP Energy will invest \$20 million for the plant and sell power to the government at 45 cents per kilowatt-hour for the next 40 years.

that there is a reliable, dependable, and affordable power source available in Madolenihmw.

The company at a minimum will produce 5 megawatts, according to Im, but the agreement states that any power sold beyond 5 megawatts will cost 42 cents per kilowatt-hour.

According to Im, there are plans to work with the Power Utilities Corporation to build one more power plant facility.

According to the company, the new power plant will empower future opportunities by assuring foreign investors and developers

There are future talks for further development in infrastructure, housing and hotels in Pohnpei State as well as throughout the Federated States of Micronesia, he stated.

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Bill Jaynes
Managing Editor

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Vice President Yosiwo P. George leads a delegation to the Second-India Forum for Pacific Islands Cooperation

August 31, 2015 (FSM Department of Foreign Affairs): At the invitation of T.H. Narendra Modi, Prime Minister of the Republic of India to the FSM to attend the Second-India Forum for Pacific Islands Cooperation, Vice President Yosiwo P. George headed a delegation to India to participate in the Forum. Vice President George was accompanied by his wife, Mrs. Antelise Y. George, T.H. Marion Henry, Secretary of Resources and Development, Mr. Brendy H. Carl, Deputy Assistant Secretary for Asian Affairs and Mr. Herman Semes Jr., Special Assistant to the Vice President.

On the way to India, the delegation made a stop-over in Hong Kong to catch the next flight out to India. In Hong Kong, Vice President George and his delegation had an opportunity to meet with the FSM Honorary Consul, Dr. Tan Siu Lin and Chairman of the Board of Directors of Luen Thai Holding Limited and at the Luen Thai Headquarters. The delegation first toured Dr. Tan's office and followed by a meeting with the Board of Directors. In the short meeting, Dr. Tan thanked the Vice President for his visit to Hong Kong after assuming his post as the Vice President of the FSM. Vice President George responded by thanking Dr. Tan for the warm welcome and hoped that he will continue to promote FSM in Hong Kong. The delegation departed on the same day to India.

While in India, Vice President George and his delegation joined the delegations from the Pacific Island Countries (PICs) to visit Taj Mahal in Agra City in the Uttar Pradesh State and the Amer Palace in city of Jaipur. They also attended a number of presentations by

the Ministers' of External Affairs, Culture and Tourism, Power, Coal and renewable energy.

On August 21, 2015 at 6:00 pm in Jaipur, Prime Minister Modi opened the summit and allowed each head of delegation for a 5 minutes remark. Vice President George was the 4th to deliver his statement where he personally thanked the Government of India through Prime Minister Modi for hosting a forum that will further cemented the friendly cooperation and friendship between India and the Pacific Island Countries. He further touched on a number of challenges that are facing the PICs that will require collaborative efforts, such as climate change and so forth.

On August 22, 2015, a short ceremony was held in the Vice President's room in New Delhi on a donation of \$200,000 specifically for the Department of Resources and Development on a project entitled, "FSM Intergrated Agriculture Census." Ambassador Extraordinary and Plenipotentiary of the Republic of India to the FSM, H.E. Lalduthlana Ralte presented a symbolic check to Vice President George to official hand over the donation. Both parties exchange pleasantries and the ceremony was concluded.

The delegation departed India for Pohnpei in the evening of 22 August 2015.

Speaker Wesley W. Simina addresses the Fourth World Conference of Speakers of Parliament

September 1, 2015

New York, NY—Senator Wesley Simina, Speaker of the FSM Congress addressed the Fourth World Conference of Speakers of Parliament at the United Nations in New York. His speech follows.

A few months ago a spacecraft reached Pluto, the last planet of the solar system. It was just as expected: deserted, dark and lifeless, full of craters. But on the way, the spacecraft looked back and sent back pictures of where it came from: a blue planet covered by swirling clouds, with a brilliant aura that proclaims LIFE. Here, there is life, precious, fragile, beautiful, priceless life in an otherwise lifeless solar system. It reminded us once again of our shared humanity, that we are all together, all seven billion plus humans embarked on a shared fragile globe that is so beautiful, that deserves to be protected and sustained.

What we are here in New York to do is to do our best so that that fragile beautiful planet can endure, no matter what comes. We all know, alas, that it is in our powers to destroy this fragile treasure, whether by recklessness or by greed. Our collective desire to have better lives has unfortunately been accompanied by an overreliance on fossil fuel and the resulting emissions have contributed to climate change. We are changing our Earth, and processes that used to take thousands of years now take only decades. In a short while, everything as we know it will be different, and in a worse way.

We are gathered here in New York because we have faith in democracy. We believe that the collective will of a people expressed in its representatives can be wisdom, a wisdom that is more than ever necessary in order to save our planet.

We are gathered here in New York because we believe in the United Nations and IPU that all countries are entitled to the same and equal voice, and my concerns along with the concerns of small countries like the Federated States of Micronesia mean something, and we have something to share.

What we are willing to share is our experience as a small-island state. As a matter of fact, if I can say



in a friendly way to my fellow speakers, use us! Our size and geography make it easier to test concepts and ways of sustainable development. If you need to test ways to adapt to climate change, use us! If you want to provide alternative energy, use us!

In turn, I beseech all my fellow speakers, let us all work toward a common goal to keep our desires in check, so that we can develop sustainably. Later on this month leaders will formally adopt new goals for sustainable development. Let us pledge that we will transform these goals into rational and effective legislation. By enacting those goals into law we will insure that effective implementation takes place.

We are gathered here in New York to prepare also for another big event, COP21 in Paris. There other groups of negotiators will try to come up with a climate change agreement. They may or may not succeed. But if they do, I ask all of us speakers to pledge to transform that agreement into workable legislation.

We have started doing that in our small country. We are ready and I pledge to you as Speaker that I will personally endeavor to do what I can to pursue the objectives I mentioned. We are small but count us in, and now! Winston Churchill said: "Sometimes you cannot just do your best; you have to do what it takes." This is one of those moments in history. We in the FSM Congress will do what it takes. I urge my fellow speakers to please do the same.

Thank you very much



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MiCare Health Plan cancels health insurance coverage to Genesis Hospital

By **Bill Jaynes**
The Kaselehlie Press

September 9, 2015

Pohnpei, FSM—Pohnpei subscribers to the MiCare Health were surprised to learn last week that MiCare had cancelled its agreement with Genesis Hospital and Pharmacy. Many people in Pohnpei have relied on Genesis to provide their health care needs.

According to a medical claims audit conducted in 2014 of 2013 claims by private health care providers in Pohnpei, of the 28,320 claims submitted to MiCare, 20,586 were for Genesis inpatient and outpatient services. Pohnpei Family Health Clinic had 3,833. MedPharm Drugstore and Clinic had 2,715, and Berysin's Community Health Clinic had 1,186.

"Every month I'm supposed to consult with my Doctor," said Joe Roby, Pohnpei's former Chief of Police and a subscriber to MiCare. "As you know, I was medically retired. I have chronic illnesses including diabetes, heart disease, and hypertension."

"Other clinics don't have the tests that Genesis is able to do and Genesis is open 24 hours," he said.

He recalled two experiences when he woke up in the Genesis Emergency room in the middle of the night not knowing where he was. In both instances he had suffered a heart attack and his wife had driven him to Genesis. "They pulled me back from death," he said.

"I value my life," he said. "Life is very important."

He said that he wrote a letter to Genesis admiring them and thanking them for their work. "The service they have, Bill, is outstanding," he exclaimed.

Since MiCare's announcement Roby said that he has "experienced sickness" but he doesn't have the money to pay out on a reimbursement basis for the care that he needed. MiCare's notice said that the insurer would reimburse customer expenses for Genesis health care through the month of September.

For Pohnpei patients of Genesis there was no notice. The announcement came out on the day that the new policy went into effect.

Roby said the MiCare announcement hit him hard and listed names of others he knows who are in similar circumstances. Unless some agreement is reached by October MiCare subscribers will no longer be able to expect coverage at Genesis Hospital and Pharmacy.

MiCare and Genesis are currently at an impasse.

Nena S. Nena, Administrator for the MiCare Health Plan said that the Board of Directors issued a notice of termination of coverage in June for patients at Genesis. For whatever reason, MiCare did not act

on that notice to terminate in June. In the middle of August MiCare delivered what Genesis' attorney said was an unprofessionally worded Memorandum of Agreement mandating that Genesis accept a \$50,000 "capitation" agreement. Under that agreement, MiCare would pay Genesis \$50,000 a month no matter how many patients it treated or what the treatments were.

According to MiCare's Annual Report, last year Genesis filed claims for nearly \$1.3 million worth of service. The MiCare offer was a little less than \$700,000 less per year than Genesis billed MiCare in 2014.

Genesis rejected the plan and countered with what Dr. Merlynn Abello-Alfonso, owner of Genesis said was a "high ball" offer of \$150,000 per month in hopes that MiCare would meet them somewhere in the middle.

Nena said that the plan that MiCare gave to Genesis was authorized by the board and that he could not change it. He said the decision to cancel coverage for subscribers at Genesis was mandated by the previous board. The newly constituted board of directors, which does not yet have a Pohnpei representative, told Nena that they did not need to revisit the decisions of the previous board. Nena said that they let the decision stand without further discussion.

When asked if there was room for negotiation with MiCare, Nena said that it was a "take it or leave it" plan. He said that it was Genesis' decision not to accept the plan. "MiCare does care," he said, "but should we just accept abuse and fraud?"

The press release MiCare's attorneys prepared and which is included in this issue of the newspaper portrayed Genesis as being unwilling to work with MiCare. It claimed that an independent claims audit conducted by Stay Well Insurance revealed that many of MiCare's claims have been "abusive" and even "fraudulent". The press release mentioned that Stay Well Insurance also audited the other private health care providers, Pohnpei Family Health Clinic, MedPharm Pharmacy and Clinic, and Berysin's Community Health Clinic.

MiCare's press release did not mention that the claims audit showed "abusive" and/or "fraudulent" claims for each of the private health care clinics in a proportion to each of their client loads similar to Genesis. It also didn't mention that Genesis was the only private health clinic that MiCare decided to put under a "capitation" plan. That plan would reduce its income by more than half. It did say that the independent audit was called for by MiCare specifically to document "claims problems" with Genesis.

Dr. Abello-Alfonso said that Genesis has been disputing claims that MiCare has denied for several years now with little to no explanation. Many of the items that were listed in the claims audit were items that were covered under previous management but not covered under the current management. For example, one of those items is an injection administration fee which covers the cost of the gauze, the tape, the hypodermic needle, and the cost of a professional medical technician to administer injections. She said that after management changed, MiCare simply stopped paying that fee without announcement, but Genesis continues to bill for it since it is a cost of doing business and there has been no clarification on the matter. The administration fee is usually \$2.

Certainly those are not the only Genesis claims that MiCare has taken exception to but Dr. Abello-Alfonso says that there was no exit interview after the Stay Well Insurance audit. As a result, many of the supposed findings in the audit were inaccurate. She said that documentation was on file when Stay Well said that there was none. She said that Genesis always files the proper documentation with each claim but that it quite often goes missing once it is at MiCare.

She also said that neither Genesis nor its attorney had ever seen a finalized copy of the claims audit. The only copy they had was one that was stamped "Draft" on each page.

MiCare provided The Kaselehlie Press with a finalized copy of that audit.

According to Genesis' attorney, MiCare currently owes Genesis

On September 1, 2015, MiCare issued a public announcement advising the general public that it would no longer be providing health insurance coverage for patients of Genesis Hospital and Pharmacy, including inpatient and outpatient, pharmacy and dental service, effective October 1, 2015. Between September 1, 2015 and October 1, 2015 the notice provided that MiCare would reimburse covered individuals for inpatient, outpatient, pharmacy and dentistry services provided and properly documented by Genesis which fall within MiCare's coverage as provided in MiCare's policies.

During the month of September, patients who choose to secure such services from Genesis will be responsible for paying Genesis for the services and then may seek recovery from MiCare for the portion of paid services covered by MiCare insurance coverage.

(Editor's note: MiCare's public announcement said, "MiCare will reimburse any payments to its members within two (2) business days for any treatment obtained at Genesis Hospital and its Pharmacy or Dentistry during the month of September, 2015.")

This change of policy as to Genesis has come about as a result of persistent difficulties experienced by MiCare with respect to claims by Genesis for payment from MiCare for medical services provided to individuals covered by MiCare for medical services provided to individuals covered by MiCare. MiCare has attempted to work with Genesis over the past several years to ensure that claims made by Genesis for reimbursement for services provided to covered individuals are properly made and documented and that Genesis seek reimbursement only for services actually provided which are covered by MiCare. Unfortunately, MiCare's experience with Genesis has displayed a pattern of submitting claims which are improper in one way or another. MiCare has attempted to work with Genesis to correct this problem but the problem continues. As a result MiCare decided to document claims problems with Genesis through the conduct of an independent claims audit. Accordingly, MiCare employed the services of StayWell Guam Inc., a regional health insurance company, to conduct and audit through the method of random sampling of Genesis claims for the year 2013.

In April of 2014 StayWell conducted the audit of 2013 claims not just of Genesis but also of other medical service providers in the FSM. The audit was conducted by StayWell to identify possible abusive and fraudulent claims. The audit confirmed MiCare's belief that both abusive and fraudulent claims for reimbursement were being made by Genesis in significant numbers. The audit defined fraudulent claims as including medications billed by Genesis which exceeded prescribed medications, duplicate services billed and medications actually paid by the patient which were billed to MiCare among others. Abusive claims included billings for services excluded by MiCare, billings which exceeded MiCare approved rates and billing for services which did not match physician's orders(,) among others.

With these audit findings, the MiCare Board felt compelled to terminate the then existing agreement between Genesis and MiCare and to seek to replace it with what is known as a capitation agreement by which Genesis would be compensated with a flat rate monthly amount paid by MiCare for all inpatient and outpatient services provided to covered individuals which fell within MiCare's scope of coverage. The flat rate amount would compensate Genesis for inpatient and outpatient services provided by Genesis to covered individuals which fall within the scope of MiCare's coverage. The new arrangement proposed by MiCare also made separate provision for pharmacy and dental services. Unfortunately, Genesis has chosen to reject this approach.

MiCare regrets the inconvenience which will be experienced by covered individuals obtaining medical care at Genesis during the month of September.

Press Release prepared for MiCare Management by its attorneys

See "MiCare" on next page

...MiCare

Continued from previous page

payments for claims Genesis filed over the course of nine months. Dr. Abello-Alfonso said in an email that in her experience it takes an average of 10 months before MiCare releases payments to Genesis.

In 2014 MiCare hired a contractor to conduct an actuarial study of MiCare's risk in providing health insurance. That contractor recommended that MiCare should increase its Premiums over the next five years. The board adopted that plan and this year increased the Premiums for each plan MiCare offers.

Nena said that with the 2015 fiscal year nearly at a close, MiCare has experienced higher costs than it anticipated. He expects that trend will continue in 2016 and beyond but he could not base that prediction on the actuarial study.

He said that cutting the amount of money that MiCare pays to Genesis would not necessarily result in more retained revenue at MiCare. He could not explain his statement.

MiCare's 2014 Annual Report twice noted that Genesis was the highest payee of all of the health service providers in the FSM including for Dental Services. Genesis, "garnered a very high amount of about \$1.3 million or 23% of the total medical cost of \$5.5 million." It used 2013 figures for cost comparisons.

The report said that Capitol Medical Center was ranked third in cost per visit at \$2,864. That facility had 94 visits. St. Luke Medical Center had an average cost of \$649 per visit. That facility had 460 visits in 2014. The report said that Pohnpei State Hospital received \$420,000 under a capitation arrangement but that the "cost per visit and number of visits could not be completed due to lack of data."

Page 25 of the report discussed the rankings but it was incomplete in its final form. Mr. Nena said that the program they used to layout the report truncated the page when it went to print which ended in the middle of a sentence. The final sentence on page 25 of the report was supposed to have read, "Among the top 10 facilities, the lowest cost per visit is the Pohnpei Family Health Clinic at \$36 per visit, according to the table shown above". Pohnpei Family Health Clinic was not actually included in the "table shown above".

Nena wrote that MiCare estimates that Genesis had 20,000 visits during the year for a total cost per visit of \$64.18. According to the Stay Well Insurance Audit, Genesis actually had 20,586 claims for just its inpatient and outpatient care. That works out to \$56.46 per visit.

Nena did not respond to our request for a complete cost per visit ranking of MiCare's top payees. No report provided by MiCare listed total number of patient visits. At least amongst MiCare's top 10 payees MiCare saw far more patients than any other health services provider on the list.

Nena said that MiCare has capitation plans for each of the State hospitals.

Genesis' attorney said that the agreement that MiCare sent to Genesis would still require Genesis to list the details of each claim even under a capitation plan. Other providers under capitation plans are not required to do that which is part of the reason it is so difficult to determine the cost per visit and the number of visits for those health service providers.

All insurance companies should have financial reserves, and MiCare is no exception. The 2014 Annual Report says that the MiCare Board has set a goal of \$2.5 million in reserves. By the end of fiscal year 2014, MiCare had reserves of nearly \$1.5 million and listed its sixth year of positive figures for net assets. It ended FY2014 with nearly \$700,000 of net assets.

At the end of 2014 MiCare had 18,608 subscribers in the FSM and elsewhere. The average number of subscribers for the last 11 years was 19,441. The FY2014 subscriber was the lowest number in 11 years. It took in over \$6.1 million in premiums during FY2014.

As the owner of Genesis Hospital and Pharmacy, I find myself compelled to put out something in the KP to address the endless questions and speculations that have risen since the termination of the contract between MiCare and Genesis on August 31, 2015. As days went by it became clear to me that the public, especially the members, were not provided the real facts behind why they have abruptly found themselves robbed of their rights to make a choice on where to go for their health needs. Phone calls that I received from confused and angry patients who were being directed to other health providers confirmed that reasons that were fed to the MiCare members varied from day to day and were mostly half-truths or twisted facts to paint Genesis as the culprit and callous party for not wanting to sign on a new contract with MiCare. One of the reasons provided to some who called MiCare was that it was an imposed penalty on Genesis implying negativity, shady dealings or actions and finally the latest reason referenced to audit results that was conducted in 2014 on Genesis Hospital.

I would like to share facts as they are for the public and members to be enlightened on.

On August 10, 2015, MiCare presented a new MOU(memorandum of understanding) with a capitation scheme to Genesis for signing. This capitation agreement proposed a fixed monthly fee and was suddenly presented to Genesis on August 10, 2015 out of the blue with a 21 days notice. This means regardless of how many patients are seen by Genesis Hospital(whether it is 30, 50, 100 or more) with services provided in the outpatient, inpatient, laboratory, x-ray, ultrasound and the physical therapy departments, the payment will remain fixed by MiCare. There had been no prior discussion on the matter. Whatever charges that Genesis may require to remain viable will be collected from MiCare members, shifting the burden of payment to them.

On August 19, 2015, Genesis responded to MiCare with the following counter proposals which included: (1) a figure more than double what was being offered by MiCare based on analysis of payment histories from MiCare and total of patients encountered during a one month period hoping this would trigger off discussions for both parties to meet half-way. (2) A demand for payment for rendered services under the old contract to clear up overdue debts more than five months owed to Genesis for a "clean start" before it could consider entering into a new MOU and (3) A request for mediation for a long unresolved issue regarding the administration fees that were not being paid by MiCare for the past years but which Genesis continues to bill MiCare(these were part of the services billed that the audit declared as abusive).

On August 24, 2015, MiCare's legal counsel forwarded MiCare's response to the three issues and ended the letter with "MiCare wishes to inform Genesis Hospital that if the proposed MOU is not signed by August 31, 2015, the current agreement between MiCare and Genesis Hospital will terminate and any lapses after September 1, 2015 will not be covered by MiCare, nor will any retroactive expenses be covered during the lapse should MiCare and Genesis Hospital sign the proposed MOU at a later date." There was no option offered for negotiation and neither was there any indication for a desire for negotiation. A contract normally has a "give and take" and should be mutually beneficial to all concerned. As presented, the capitation fee scheme stands only to benefit one party which is MiCare. Neither Genesis nor MiCare members will benefit from such a set up. Furthermore, the capitation agreement which was presented was very sloppy and poorly drafted with confusing and contradictory phrases in some areas which needed clarification.

With MiCare Administration being completely unreasonable with a "take it or leave it" approach, Genesis had no option but to refuse to sign the proposed agreement that was presented by MiCare and accept the termination date of August 31, 2015 that was imposed.

Since September 1, 2015, MiCare members have expressed shock, outrage and frustration upon presenting to Genesis Hospital for consultation only to be informed that agreement no longer exists between Genesis and MiCare and they would have to pay expenses upfront

and be reimbursed by MiCare. There was no public information or advice disseminated beforehand by MiCare regarding such an abrupt change for its members. MiCare scrambled to put out an announcement on September 2 belatedly.

In an effort to justify the drastic move taken by MiCare that has impacted members negatively and suddenly left them "hanging in the air" when they needed medical care at Genesis, it appears that MiCare has decided to latch on to the audit findings to shield its actions of eliminating Genesis and citing the audit as the cause of its actions. If such was the truth, why did MiCare even bother to propose a capitation scheme to Genesis and why was there never any reference to the audit findings when its decision to shift to a new MOU was presented? MiCare had contracted Stay Well for a Claims Audit that was carried out in April 2014 on Genesis and all other private providers on various dates for FY 2013. The audit results were presented by MiCare to Genesis initially on July 2, 2014 for Genesis Pharmacy and for Genesis Hospital on August 25, 2014 based as a draft copy. No final copy was ever provided although Genesis requested for this. Nevertheless, review of the draft copy was done and Genesis responded to MiCare Administrator on the audit findings on September 8, 2014 and again on March 5, 2015 clearly contesting a number of findings found to be erroneous and seeking further discussions. Neither Mr. Nena S. Nena nor the MiCare Board at that time responded to issues we raised in our letters regarding the audit findings of fraud or abuse nor was our request to meet to clarify cited issues addressed directly. MiCare never met with Genesis to review the draft audit or provide any response to our letter regarding the audit findings but pursued in citing these and even went as far as declaring in writing that Genesis Pharmaceuticals were 72% unsafe! It is also pertinent to state for the record that the major bulk of what was termed fraud or abusive were the injections fees that have been an unresolved issue between MiCare and Genesis. These injection or administration fees were the bulk of the disallowed expenses on the audit. These fees are requested on MiCare-approved injectable medications. Genesis is seeking a \$2.00 fee to cover supplies used(needles, syringes, alcohol, cotton, etc) when a nurse injects the approved medication as necessary but MiCare refuses to pay for this service which used to be covered and abruptly ceased without notice. There is simply no basis to contest what is a minimal and highly necessary fee. It has become clear that MiCare administration has been and continue to be unreasonable in its position to deal with Genesis regarding the audit findings just as it is being unreasonable now with the proposed capitation fee. No negotiations seemed possible and MiCare continues to be unreasonable in its position. The audit findings showed some discrepancies by all health providers but only Genesis is being penalized. What is worse is that members are affected the most with MiCare's recent actions.

In all these encounters with MiCare, one thing appeared glaringly obvious to me. MiCare maintains a non-negotiable, close-minded attitude to Genesis. It does not consider the impact of its actions on its members and appears oblivious to their current predicament. It has not been truthful to its members about the real situation. There seems to be a hidden vendetta in all these actions. Statements being released by MiCare Administrator will and can be reviewed for defamation acts. Is there fairness and justice? Who stands to lose the most? What happened to the right of MiCare members to choose where to go and the medical benefits due for them? As we all wait and watch what course of actions will be taken by the MiCare Board of Directors and what the public and the leaders' take will be on all of this, people will continue to suffer and be deprived of their choices and left to struggle and cope with means to access one of the best health facilities on island. Despite everything, Genesis continues to render quality health services to the community just as it has always done and will continue to do so. Meanwhile, who is to say that MiCare members cannot and should not opt out of MiCare in search of better options?

Dr. Merlynn Abello-Alfonso
Owner/Medical Director
Genesis Hospital and Pharmacy, Pohnpei

United to transfer Guam-based pilots

BY JASMINE STOLE / POST NEWS STAFF

FRIDAY, 04 SEP 2015

United Corporate Communications confirmed that Guam-based pilots will be transferred from being stationed on Guam to other airline bases in the U.S. in October because of discontinued flight service from Guam.

"United confirmed that no Guam-based pilots will lose their jobs because of the reduction in service to/from Guam, effective Oct.1, 2015. The pilots will transfer to other bases in the U.S. where we have increased our

flying," according to a statement.

Most recently, the airline announced it would stop service to Korea and Australia. According to United, twice-weekly Guam-Cairns flights will end on Sept. 26 and daily Guam-Seoul/Incheon services will end Sept. 30.

United launched nonstop flights between Seoul and Guam less than a year ago, in October 2014, operating a Boeing 737-800 aircraft with 155 seats.

"We have taken this decision because the services' financial performance did not meet our expectations,"

United officials said.

United also stopped service between Guam and three Japanese cities, citing poor financial performance in February and December of last year, according to Post files. Flights between Guam and Hiroshima and between Guam and Niigata were discontinued in December 2014, followed by the discontinuation of Guam-Okayama service in February.

It's unclear how many Guam-based pilots will be transferred and to where they will be transferred. Dave Kelly, senior communication specialist for Air Line Pilots Association, said they too were unable to provide information about the Guam pilots. "Manning and staffing issues are rather delicate, and

See "United" on next page

No leaks from Marshalls nuke dome

ENEWETAK, Marshall Islands (RNZI, Aug. 14, 2015)

— An expedition to inspect cracks in a dome covering nuclear waste in the Marshall Islands has found no significant surface leaks of radioactive material.

The Runit Dome was constructed in 1979 to temporarily store radioactive waste produced from nuclear testing by the United States military during the 1950s and 1960s.

The Marshallese community raised concerns over damage to the dome after Typhoon Nangka hit in July causing significant damage to homes and infrastructure on the atoll.

[RNZI] correspondent, Giff Johnson says the team surveying the dome found the cracks have been developing over time.

"One basic surface geiger counter type check of radiation showed nothing above background on the surface of the dome and that there was actually not any damage to the dome."

Giff Johnson says the bigger risk is the potential for waste to leak from underneath the dome into sediment that could be spread throughout the islands in future storms.

Pohnpei Port Authority

P. O. Box 1150, Dekehtik Pohnpei State Federated State of Micronesia # 96941

Phone: (691)-320-2793; Fax: (691)-320-2789

Website: www.ppa.fm

Pohnpei Port Authority is soliciting proposals for developing a piece of property Lot, located in between Pohnpei International Airport Runway #27 and Misko beach area. All proposals must include its scope of work, cost estimates and should in compliance with the PPA transportation zone act for transportation development. The size of the area is approximately 156.80 x 90.38 or 14,159.04 total square meters. All interested party(s) should submit their proposal on or before the closing date mention below.

Pohnpei Port Authority shall start accepting proposing bids proposals starting 09/15/15 and closing on 09/30/15 at 5:00pm Pohnpei Port Authority reserves the right to reject any proposal received in connection with this solicitation process.

For more information, please contact the Pohnpei Port Authority Marketing division at Dekehtik, Pohnpei State, at phone: (691)-320-2793; Fax: (691) 320- 2793; email; 1485sano1957@gmail.com or by contacting us direct to our website address at www.ppa.fm.


Nelperson Etse
General Manager
Pohnpei Port Authority

Recommendations for improving solid waste management in Pohnpei State

A presentation on JICA training and recommendations for improving solid waste management in Pohnpei State was conducted by Mr. Ryan McVey, General Manager of Pohnpei Waste Management Services (PWMS) on September 2nd, 2015 at the Office of Environment and Emergency Management (OEEM) in Palikir.

The presentation session was attended by Japanese Ambassador to the FSM, His Excellency Masaki Sakai, SPREP Waste Management Adviser, Ms. Ma-Bella Quinto, Director of Kosrae Dept. of T&I, Mr. Weston Luckymis, Director of KIRMA, Mr. Robert Jackson, SPREP Desk Officer Mr. Simpson Abraham, Senior Consultant for Evaluation Analysis of J-PRISM Project, Ms. Takako Haraguchi, and representatives of OEEM, Pohnpei EPA, Pohnpei Dept. of T&I, and JICA members.

Mr. McVey attended a 2-month JICA training in Kyushu, Japan for the course entitled "Advancement of Solid Waste Management Technologies" as part of JICA technical cooperation project; J-PRISM

(Japan – Promotion of Regional Initiative on Solid Waste Management in Pacific Islands Countries). The objective of this training course is that participants will be able to formulate and propose action plans to improve waste management processes such as garbage storage, collection, intermediate treatment, and final disposal



of wastes.

In his presentation, Mr. McVey shared the current issues and provided three recommendations for improving solid waste management in Pohnpei State. The first step is to establish a sustainable revenue stream which will be dedicated and utilized for solid waste management activities. Because waste generation is directly related to imports, this could be achieved at the national level by

dedicating a portion of import tax to each state respectively, or at the state level by dedicating portion of sales tax to SWM activities. Secondly, utilize that revenue stream to invest in SWM infrastructure and facilities aimed at processing target wastes and develop island-wide collection program. Lastly, to institute segregation legislation, a "colored bag" scheme for different waste types, and establish community education programs to encourage compliance.



WCPFC Executive Director calls on Commission members to work more cooperatively on sustainable fishing initiatives

The call comes after a recent meeting of Commission scientists raised serious concerns about the status of Bigeye tuna stocks.

Addressing the PIF Leaders meeting, Mr Teo said Bigeye was in an overfished status.

“The Commission’s scientists have been clear about what this means; that the fishing efforts and catch levels targeting Bigeye are unsustainable.”

Mr Teo urged Member countries to attend the Commission’s next annual meeting in December prepared to make some sacrifices to achieve more consensus on measures to reduce the current Bigeye mortality level.

“I urge Members to attend the December meeting prepared to make a meaningful contribution towards restoring Bigeye tuna stocks to a sustainable level.”

Mr Teo noted that to help reduce the pressure on the Bigeye there needed to be some changes to how other key fish stocks were harvested. He used the example

of Bigeye being caught in some purse seine vessel-based fishing activities that were actually targeting Skipjack.

Mr Teo also told the PIF Leaders meeting that he and the Commission’s Chair, Rhea Moss-Christian, were making it their priority to liaise more closely with Member countries and other stakeholders between annual meetings of the Commission.

Mr Teo said they had made recent visits to China, Japan, Korea and Chinese Taipei and visits to other Member countries were planned.

The Commission’s next December annual meeting will take place in Bali, Indonesia.

Typhoon Assistance

Continued from front page

partner, IOM has delivered emergency food, water, sanitation equipment and shelter materials to the worst affected areas, and is now embarking on an ambitious reconstruction plan.

Other contributions from the governments of Australia, New Zealand and Japan, have also allowed practical assistance and technical help to reach these critically isolated communities.

The USAID funding will enable IOM to rebuild and repair over 600 homes and at least 100 key infrastructure projects such as schools and clinics in the affected communities over the next 18 months.

IOM is also providing USAID-funded tents to ensure that the disaster doesn’t interrupt the education of children in remote outer islands, while their schools are reconstructed.

In tandem with these recovery-focused activities, IOM will work with affected populations to develop community-led disaster preparedness plans that reflect their experiences during the storm – thereby increasing their resilience and safety before the next disaster.

“While the death toll in Maysak was not sufficiently serious to garner major media attention, the ferocity of the storm serves as a strong reminder that weather patterns are changing and becoming more violent,” said IOM’s Chief of Mission in the FSM, Stuart Simpson.

In the coming days, US Ambassador Doria Rosen plans to join an IOM team travelling to Yap and Ulithi islands, where much of the reconstruction will take place.

Dr. Muhammad Khan, USAID Team Leader for Pacific Projects, noted that IOM and the US Government have a fruitful history of collaboration on disaster response and mitigation in the Pacific

...United

Continued from previous page

the company and ALPA tend to treat those matters as internal,” Kelly said. The Air Line Pilots Association union represents the United pilots.

United will refund or arrange for alternate travel plans for customers who booked Guam-Cairns or Guam-Seoul/Incheon flights after Sept. 26 and Sept. 30 respectively, according to the statement.

Last month, United’s unionized flight attendants took part in a global demonstration that they hoped would get the attention of United management and prompt progress in contract negotiations.

On July 16, about 70 people joined the flight attendants’ demonstration, which they called a Day of Action. According to local Association of Flight Attendants spokeswoman Cynthia Iverson, the flight attendants have been negotiating a contract with United for the past three years.

The flight attendants’ informational picket line was formed just outside the A.B. Won Pat International Airport. It was the first of a series of demonstrations United flight attendants held at airports in Hawaii, Japan, Hong Kong, California and elsewhere in the U.S. Mainland.

According to the Association of Flight Attendants, the union and United management have been meeting with the National Mediation Board in Washington, D.C. to discuss the next steps for negotiations.

The AFA is calling for more productive bargaining and serious negotiations, a statement from the union said.



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region, having successfully worked to relieve the worst effects of a drought in the neighboring Republic of the Marshall Islands (RMI).

“We are greatly concerned about the effect that more frequent and intense disasters are having on these fragile ecosystems,” he said. “Decades of development can be wiped out in a few hours. Emergency aid, backed up by locally driven mitigation programmes are the right way to go, and we are pleased to be able to call on IOM to work with us on improving life for these unique and endangered communities.”

FSM and RMI are two nations collectively made up of 1,800 islands spanning 2,000 miles across the northwestern Pacific Ocean. More than 155,000 people living in these islands are vulnerable to slow- and rapid-onset disasters related to climate change, including rising sea levels, and shifting rainfall and storm patterns.

Under the Compacts of Free Association between the US Government and the Governments of the RMI and FSM, USAID provides supplementary assistance to disaster management and reconstruction efforts for these independent nations.

USAID’s five-year Disaster Preparedness for Effective Response (PREPARE) program follows the Disaster Mitigation, Relief, and Reconstruction Program (DMRRP), under which IOM has established an operational and logistics presence in five locations in the two countries. This entailed pre-positioning

humanitarian relief supplies and equipment, and enhanced standby capacity for logistics, medical response, and reconstruction of housing and public infrastructure.

Typhoon Maysak reached Category 5 level in late March, making it the strongest North Pacific storm on record for the time of year. It hit Yap and Chuuk States, causing millions of dollars in damage and claiming five lives.

In the immediate aftermath, both local and international PREPARE staff sprang to action and, in coordination with State and FSM national authorities, IOM Micronesia initiated life-saving assistance. In the days following the event – with the support of USAID’s Office of US Foreign Disaster Assistance, Micronesia Registration Advisors and the Australian Government – IOM began providing food, clean water, shelter and hygiene materials to affected populations.

A key preparedness component of the programme was also actualized: the deployment of pre-positioned, USAID-funded relief items stored and maintained by IOM in warehouses in FSM and RMI. This meant that humanitarian relief items, including large rolls of plastic sheeting for shelter, reverse osmosis water filtration machines, high-capacity water bladders, water distribution stands, and sealable water containers could be deployed immediately to these critically isolated communities.

FSM gold medal boxer receives congratulations from Congress



While in New York for the Fourth Conference of Speakers, Speaker Wesley Simina and Chairman Isaac Figir delivered personally a congratulatory resolution of Congress to Jennifer Chieng, gold medalist at the recent Pacific Games. Jennifer attended the ceremony with her son.

FSM and Japan strengthen fisheries relations



By NORMA

August 23, 2015

Guam--On August 23, 2015 in Guam, the National Oceanic Resource Management Authority (NORMA) and Japan agreed on a Memorandum of Understanding (MoU) under their bilateral fisheries agreement allocating 2,200 fishing days to the Japanese purse seine fleet in 2016. Priced at \$10,000 per day, Japan will pay the FSM \$22 million dollars for the 2,200 days to fish in the FSM EEZ in 2016. In addition, for every day Japanese purse seiners transfer to fish in other waters of the Parties to the Nauru Agreement (PNA), Japan will pay an additional \$1,000 per day up to a maximum of 550 days which could earn FSM another \$550,000 in addition to the \$22 million. Under the new deal, Japan can also transfer days from other PNA waters to be fished in the FSM EEZ but it would cost \$3,000 per day to transfer into the FSM EEZ.

According to the new Executive Director of NORMA, Mr. Eugene Pangelinan, Japan requires these flexibilities in order to counter any negative impact a severe El Nino could have on the fishing activities of their fleets. He noted that during a strong El Nino, fishing tends to move eastward into Kiribati waters while under normal conditions fishing would be in the west in FSM waters. He explained also that the 2,200 days allocated to Japan were 71% of FSM's days available for bilateral partners; a significant chunk of FSM's Party Allowable Effort under the PNA Vessel Day Scheme for 2016. This demonstrates FSM's strong relationship with Japan in granting Japanese purse seiners operational certainty in 2016 while other fleets struggle to secure their fishing days for 2016 in FSM waters.

As part of the deal for 2016, FSM is also eligible to apply for a multi-million dollar fisheries grant aid from Japan. Mr. Pangelinan said that this arrangement is the highest fee arrangement ever paid by Japan to FSM for fishing by purse seiners. The additional grant aid along with other overseas development assistance provided by Japan to FSM was also factored into this deal. Mr. Pangelinan added that there are about 70 Micronesians now employed on Japanese purse seiners earning salaries and sending their money to families in FSM. According to NORMA, FSM and Japan have had more than three decades of fisheries relationships.

Japanese longliners were also granted access to FSM's EEZ in 2016. It was significantly important that Japan signed up to the PNA Longline Vessel Day Scheme which will be implemented in 2016 now that five parties of PNA have agreed to implement it, namely FSM, Nauru, Republic of the Marshall Islands, Palau and Solomon Islands. Mr. Pangelinan said that FSM was the first to negotiate with Japan and get them to agree to implement and have the PNA Longline VDS apply to their fleet in 2016 onwards. Mr. Pangelinan said that this was a major achievement for PNA as others line up to negotiate with Japan after FSM. Mr. Pangelinan said that this should make it easier for them to agree on the application of the longline VDS to Japanese longliners fishing in their waters. 2016 will be a transitional year for Japan and in 2017, full implementation will be required.

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See our full list of eligibility criteria at www.chevening.org. Find out more about applying at www.chevening.org/apply Applications must be submitted online.

Applications close 3 November 2015

An interview with Caroline Dabugsiy

Caroline Dabugsiy is the Procurement and Logistics Assistant for the International Organization for Migration (IOM)/Micronesia. She plays a critical role in the local and international response to Typhoon Maysak – which struck Yap and Chuuk in late March and early April – and took time out of her busy schedule to discuss how she got involved with the response effort.



Where were you during Typhoon Maysak?

- Though I am from Yap, I was in Pohnpei when the storm hit. I immediately deployed to Yap to begin facilitating relief assistance.

Why did you get involved in the Typhoon Maysak response?

- From our main office in Pohnpei, I work on a number of IOM/Micronesia's programs, including migration, climate change, and disaster preparedness initiatives. Under the United States Agency for International Development (USAID)-funded PREPARE Program, we work with local agencies to enhance disaster responses. PREPARE helps plan for events like Typhoon Maysak, in order to improve the life-saving and life-sustaining efforts that national and international assistance provides. I love working with communities and helping those in need.

Can you tell me a little about the communities where you work?

- For Typhoon Maysak, I travelled to Ulithi and Fais to help provide critical water, food, and shelter materials. The devastation throughout Ulithi Atoll is heartbreaking, but the communities are strong and welcomed us warmly. Now we conduct follow-up visits to make sure that the assistance we provide is timely, appropriate to their needs, and distributed fairly. They are thankful of the support that their government and regional and international friends have provided. We're also fully engaged in the process of helping with reconstruction efforts, which is funded by USAID – you'll see a lot happening on the ground in the coming weeks and months.

What has your experience been like so far?

- I've learned a lot since I started working for IOM several years ago. I like how our team is very diverse, and that I get to learn and experience new things each day. The most rewarding part of my work is knowing that I'm working as part of a larger effort to help my fellow citizens increase their capacity to deal both with climate change threats and that of rapid-onset disasters like Maysak.

What are your goals for the future?

- In the future, I would like to continue studying and also I want to continue working in the humanitarian field. I love to travel and experience new places and different cultures – I'm particularly interested in Africa, Asia and South America.

PRC Ambassador visits Kolonia

On September 3, 2015 His Excellency Ambassador Li Jie paid a courtesy visit on Mayor Casiano Shoniber and Speaker Jack Harris at the Kolonia Town Hall in Kolonia. Accompanying His Excellency Li were his First Secretary Mr. Tong Feng and Second

Secretary Mr. Xu Fan. His Excellency Ambassador Li's envoy was received with the traditional honor guard performed by Kolonia's finest in uniform. The meeting was a fruitful one in that His Excellency Li expressed his government's interest in partaking in the development of Kolonia. Parties further discussed important issues on how to strengthen a healthy relationship between the People's Republic of China and Kolonia.



EMBASSY OF AUSTRALIA – POHNPEI POSITION VACANT SENIOR AID PROGRAM MANAGER

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

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

Short description of the position includes:

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

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

The successful applicant will be expected to undertake regional travel.

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

Application packages are available at the Embassy

Contact: 320 5448

Email eliza.woolcock@dfat.gov.au

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

Application closing date is Tuesday 20 October 2015



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October 19 - 23, 2015

FSMDB's Development & Finance Training Institute (DFI) in partnership with the Asia Business Consultants, Inc. (ABC) will be conducting a week-long training workshop for interested individual small businesses owners, and new entrepreneurs.

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At the end of the workshop, participants would have a model to focus on to improve their business or product.

Participants

Targeted participants are business owners, managers, officers and accountants. New entrepreneurs, etc.

Costs:

Each Participant pays a \$500.00 registration and participation fee to attend this workshop. Such fees will cover the costs of the training, daily refreshment, training materials and other related costs.

Course Topics

Competitive Business Strategy for small business, Risk Management and Financial Accounting for non-Accountant Workshop

(5 days)

Venue

FSMDB Training Institute 3rd Floor, FSMDB Town Plaza Bldg.,

Date & Time

October 19-23, 2015.

From 9:00 am to 4:30 pm.

Deadline

October 12, 2015

Registration should be confirmed upon receipt of duly completed Registration Form and payment of participation fee to be paid.

All interested are urged to pick up and complete the registration forms at the FSM Development Bank, HQ in Kolonia, Pohnpei or at one of the Branch offices nearest you. We are located at FSMDB Town Plaza Building at Nantuelek St. Kolonia, Pohnpei Federated States of Micronesia. For further information, Please Call Tel. No. 691- 320-2624/2840/2419/5300. Or Email: loverh@fsmdb.fm

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By Dianne M. Strong, Ed.D.



Photo # NH 62801 Japanese delegation on USS Portland, Sept. 1945

In 1941 when the Japanese attacked Pearl Harbor, the US Navy had a total of 15 old Heavy Cruisers in the Pacific. By the end of the war, five had been sunk, and all of the rest had survived heavy damage. The USS Portland, torpedoed at Guadalcanal and struck by kamikaze planes, was one of the survivors.

On Sunday, 2 September 1945, the Japanese surrendered to the Allied Forces aboard the USS Missouri in Tokyo Bay. Simultaneously, outside of Truk Lagoon, the Japanese surrendered an area totaling three and a half million square miles in Micronesia. The garrison at Truk alone totaled 28,000 men, of which 14,000 were imperial army forces.

In *Embracing Defeat: Japan in the Wake of World War II*, author John Dower reports that Japan had suffered an estimated “7.74 million armed forces deaths,” with “at least 2.7 million servicemen and civilians having perished due to the war.” He estimates “approximately 6.5 million Japanese were stranded in Asia, Siberia, and the Pacific Ocean area. Roughly 3.5 million of them were soldiers and sailors. Hundreds of thousands of other remnants of the emperor’s shredded army were stranded on scattered islands in the Pacific.” But today the war was over. “Senso owari.”

On this September day, Vice Admiral George D. Murray positioned the Portland at latitude 07° 14' N., longitude 151° 48' E, approximately 1.5 miles SSW of Truk Lagoon’s South Pass. Murray, USN, Commander, Marianas, was based on Guam, a US Territory that had been occupied by the Japanese from Pearl Harbor Day until its liberation on 21 July 1944. Today Murray represented the Commander in Chief, Pacific Fleet and Pacific Ocean Areas (CINCPAC).

According to the Portland’s deck log, at 1000 two boats were sighted three miles from the cruiser and its three destroyer escorts. At 1017 the boats were identified as the Japanese surrender party. The lead boat flew both the Japanese

merchant jack and a white surrender flag. At 1029 the boats came alongside to starboard. Waiting at the gangway was Aloysius Martin Soden, Lt, USNR, a Marianist Brother, and a 1943 graduate of the US Navy Japanese/Oriental Language School at the University of Colorado at Boulder. He awaited the three signatories to the surrender documents: the Imperial Japanese Navy’s Vice Admiral Chiuchi Hara, Rear Admiral Aritaka Aihara, and Lt. Gen. Shunzaburo Mugikura, of the Imperial Japanese Army. The latter had been the commander for all Army troops in the Caroline Islands.

Fluent in spoken Japanese, Lt. Soden was teaching in a Catholic school in Yokohama when he was taken prisoner by the Japanese. Like so many other POWs, he was tortured. His tormenters wedged slices of bamboo under his fingernails. Less than a year later, in one of 33 POW exchanges, Brother Soden was repatriated aboard the Swedish American Liner Gripsholme, along with diplomats, their wives and children. Returning to his native Philadelphia, he heard the military call out for speakers of Japanese for the war effort. Without hesitating, he enlisted.

Now the 38-year old waited at the top of the gangway for his former enemy—seven Japanese—to come aboard the 610-foot USS Portland. Two days later, in a letter to Sister Rita Martin, his sister who was also a Marianist sister, Lt. Soden described the crowning achievement of his four-year military service.

The crew of the ship had been instructed just how to behave. As many as possible were to wear dress whites. Strict silence was to be maintained during the signing ceremony. All were to have serious, passive faces – no smiles or hilarity. We wanted to impress the Japanese with the idea that we Americans realize the seriousness of war, that we remembered our own dead, that we were still mindful of the treachery that started the war at Pearl Harbor. And I am glad to say these injunctions were well observed. I was proud of the US Navy, very proud.

Personally I was rigged out in borrowed whites, borrowed shoes and other borrowed items. I had left all of my whites at Pearl

Harbor. I happened to borrow these from someone who, fortunately, was about my size. So I feel I cut not too bad a figure.

I had stayed up the previous night translating two speeches that [Admiral Murray] was to give. My job was to translate his words into Japanese and to render the words of the Japanese envoys into English.

First on board was the commanding officer of the 31st Army, Lt. Gen. Mugikura, a short wisp of a man, about five feet; after him came Admiral Hara, Commander of the 4th Fleet, a middle-size stoutish man; then came Mr. Aihara, head of the Eastern South East Government. After him came the chief of Staff for the 31st Army and the 4th Fleet, and last came the aides-de-camp.

In the meanwhile the members of the crew of the Portland were looking on from various points of vantage—but with serious faces and in silence.

After the envoys had entered the cabin and were still standing, Admiral Murray entered. He took a seat ... and proceeded to speak in a very business-like fashion to the three envoys who were to sign... It was then my duty to translate what the Admiral had to say sentence for sentence. The envoys were then identified and had their pictures taken. They were then given the terms of the surrender which they were required to sign.

In the meanwhile I was called upon to translate back and forth – and I was nervous, I tell you. But I tried my best to be calm and cool and I believe I succeeded to an extent. I had some difficulty now and then to catch what they [were] saying, but I managed on the whole to get most.

After these preliminary negotiations, we led the envoys out to the quarterdeck, the main deck of the ship, where the terms were to be signed. Here were lined up as many of the crew as possible with the Marine guard [there is always a detachment of Marines aboard our big warships for guard duty]. At the end of the quarterdeck was draped a large US flag, and below the stars and stripes was drawn a table, the table on which the signing was to be done. The whole was most impressive, I assure you.

[Admiral Murray] took the one chair on the aft side of the table, and opposite him was a single chair for the signers, one by one. First the Lt. General Mugikura



Photo # NH 62798 Japanese delegation on USS Portland to surrender Truk, 1945

signed, then Admiral Hara, then Mr. Aihara. During the signing I had to give various directions in Japanese to the signers—an easy job.

During the signing the only sounds heard were those of the chair scraping or cameras clicking or flash bulbs exploding. Maybe my heart could be heard beating too—never checked that point. But I heaved a deep sigh of relief when the ceremony was finished and my job secure.

We escorted them to the gangway, and they disappeared into their boat.

What were my personal impressions during the ceremony? Well, I was too intent in doing my part of the job right that my impressions were very limited. However I did realize that General Mugikura was very dejected and distracted—his mind was elsewhere. He seemed like a man about to commit hara-kiri. Admiral Hara did not give the same impression. He seemed to take the whole affair more as a matter of course. I shall be surprised if he cuts open his honorable intestines. Mr. Aihara was also of the dejected type—not so bad as the General—and may be a possible prospect for hara-kiri. Both of the Chiefs-of-Staff looked healthy and normal, as did the Aides-d’-camp—they may live.

When I was in Japan, I saw their military in the height of their power and their pride; now I may say that I have seen how they handle defeat—and I presume to say that I have seen a man on the verge of hara-kiri.

“Senso owari.” World War II was now over.

Following the surrender, the USS Portland undertook several Operation Magic Carpet cruises to bring U.S. troops home and was decommissioned in 1946.

The surrendering Japanese reported more than 25 “hazards to navigation” within Truk Lagoon. Mine fields were cleared, and the US Navy administered Truk until it became part of the Trust Territory of the Pacific Islands. Truk became the State of Chuuk in 1979, home of “the world’s greatest wreck dive.”

On 2 September, we will say a prayer and commemorate 70 Years of Peace in the Pacific.



Photo # NH 62802 Truk surrender ceremonies, on USS Portland, 2 Sept. 1945



Eugene Pangelinan

A Message from Eugene Pangelinan

Before I proceed, I wish to pay my deepest respects to the Traditional Leaders of Pohnpei, Village Leaders, Community Leaders, Church Leaders, the Pohnpei State Government Leadership and the people of Pohnpei, most especially the voters of Pohnpei State.

This is to publicly announce that I have made the very difficult decision to withdraw my intentions to run for the Governor of Pohnpei in the November 2015 Gubernatorial Election. As some of you may have seen or heard through various public media outlets, I have accepted the position of Executive Director of the FSM National Oceanic Resource Management Authority (NORMA) for which I have been the Deputy Director for nearly 22 years of my 25 years at NORMA. This opportunity came at a time where the new President and Vice-President of the FSM have been installed to lead our nation over the next four years. As a Pohnpeian and with the support of both the President and Vice-President, I have accepted to continue my service to the FSM as the Executive Director of FSM's national agency responsible for the management and development of our tuna resources and most importantly, the largest source of local revenue for the nation. I am proud to be offered this opportunity to serve and help our new leadership over the next four years.

On this basis, I feel that my withdrawal from the race for Governor would be the only way I can dedicate and commit myself fully to this new position within NORMA. There's a lot to do and my undivided attention will be absolutely necessary and it is on this basis that I humbly ask the people and voters of Pohnpei to accept my sincerest request to accept my decision as I believe it is in the best interest of FSM and Pohnpei in particular. I ask for your understanding of this difficult decision and I am confident that the process of selecting a new Governor for Pohnpei will be a successful one. I wish the candidates all the best and continue to encourage the voters of Pohnpei to participate in this important election and to make their decisions on who they believe will lead Pohnpei over the next four years towards economic and social prosperity.

My withdrawal does not in any way reduce my strong wish to see Pohnpei develop into economic self-sufficiency and i will always be prepared to provide my best advise to the new leadership should they chose to seek my assistance.

In conclusion, i wish to thank all my supporters during my campaign for your support and dedication and i apologize if my decision has caused any difficulties for you individually or collectively.

Kalangan oh ni Wahu,

Eugene R. Pangelinan

Liberation Day Games swimming

By Mike Roberts

to maintain the spirit into the future.

Saturday the 5th of September saw the running of the 37th Liberation Day Games Swimming Championships held at the Pohnpei swimming pool.

The opening ceremony was conducted by the FSM National Olympic Committee Secretary General, Jim Tobin who invited Pastor Rickson Killheng from U to bless the gathering and then introduced Acting Governor Petersen to address the huge crowd of competitors and spectators. Competitors and guests were welcomed by the FSM Swimming Association President, Sweeter Daniel.

FSMNOC Director of Swimming , Mike Roberts, was presented with a certificate of appreciation by FSMNOC president Berney Martin for his work in developing the FSM and Pohnpei swimming programs, prior to his leaving for home in Australia shortly. Mr. Roberts addressed the gathering, congratulating Pohnpeians for their spirit of community, "something which is disappearing from many places in the world today", and encouraged all present

Entrants came from the Municipalities of Nett, U, Kitti and for the first year, Kapingamarangi. Also for the first time swimmers from the Pohnpei Swimming Club swam for the teams where the swimmers live and not a swimming club team.

Events were run over distances from 50m, 100m, 200m and 400m freestyle, 100m Individual Medley and of course the always popular 4 x 50m relays. Events were for both men and women,

Competition was close and some seriously good times were swum in the 18 individual events and 4 relays. At the end of the day, total points scores had Nett, 1st, Kitti 2nd, U 3rd and Kapinga 4th.

Congratulations to all and a special thanks to the Pohnpei Swimming Club and all the volunteers who made the meet run so smoothly, and the Etscheit Foundation who sponsored the competition medals once again.



Kiribati passes Juvenile Justice Bill to ensure safety of children in contact with the law

SUVA, 31 August 2015 – UNICEF has welcomed Kiribati’s move to pass the new Juvenile Justice Bill, ensuring that all children and youth charged with, or alleged to have committed, an offence are treated with respect and protected.

At the present time in Kiribati, there are 10 young offenders being held in adult prisons. These children and adolescents, and others before them, had to navigate the adult justice system, being held alongside much older offenders and tried as adults.

The new Juvenile Justice Act will set standards for the youth justice system, with a focus on keeping children out of adult prisons. The Act also provides opportunities for the community to participate in rehabilitation and reintegration of youth offenders, ensuring

that Kiribati customs and traditions are integrated, where possible, in the youth justice system.

UNICEF’s Chief of Field Office, Mr Cromwell Bacareza applauded the move, saying “This bill, and other recent legislative reform, demonstrates how much Kiribati values its children and young people. It follows the 2013 Children, Young People and Family Welfare Act, another great step for the protection and care of Kiribati’s most vulnerable children. We are delighted that the partnership between UNICEF and the Ministry for Women, Youth and Social Affairs (MWYSA) is producing strong results for children and families.”

Under the Juvenile Justice Act a separate Juvenile Court will be established, so

that children in contact with the law do not have to go through the regular court, which is set up for adults. The court will have a child-friendly space and children will be held separately from adults.

Speaking on behalf of the Ministry for Women, Youth and Social Affairs, the Principal of Social Welfare, Mr Teurakai Ukenio expressed MWYSA’s appreciation for UNICEF’s technical and financial support since 2008. “We have come a long way since Kiribati ratified the Convention on the Rights of the Child in 1995. The UNICEF-supported Child Protection Baseline Research conducted in 2010 has supported us to put in place laws like this that protect our children”.

The Juvenile Justice Act is significant for the people of Kiribati as it involved

wide consultation, from policy makers to community members. A Cabinet-endorsed technical working group included representatives from the Attorney General’s Office, Police, Ministries of Health, Education, Women, Youth and Social Affairs, church groups and traditional community leaders. These consultations explicitly acknowledged the value of traditional ways and positive community practices, supporting greater acceptance and ownership of the Act by the people of Kiribati.

In congratulating the government of Kiribati, Mr Bacareza said “UNICEF looks forward to our continued partnership as the new legislation is implemented, this is a great step forward in our shared work to protect all children.”

Japan provides three new excavators to Pohnpei

By Bill Jaynes
The Kaselehlie Press

September 5, 2015
Pohnpei, FSM—The government of Japan donated three Sumitomo excavators valued at \$350,000 to Pohnpei State. The handover ceremony took place this morning at the Pohnpei Transportation Authority facility in Kolonia.

Two of the excavators will be utilized by PTA. One of them will be used by the Environmental Protection Agency at the solid waste disposal site in Dekehtik. The three excavators were manufactured by the disaster affected areas caused by the Great East Japan Earthquake in 2011. The Non-Project Grant is intended to support and facilitate the FSM’s efforts to improve its infrastructure and to persevere towards boosting its own economy.

Japan also sent trainers to teach employees how to properly use the excavators.

Albert Roby gave the opening prayer at the ceremony. Welcoming remarks were presented by PTA Commissioner Sadorino Martin. Acting Governor Marcelo Peterson also thanked Japan for the donation. Japan’s Ambassador to the FSM Masaki Sakai also spoke and once again spoke of the great kizuna, or bonds of friendship between the FSM and Japan.



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Interior grants \$500,000 to empower micronesians communities

Office of the Assistant Secretary for Insular Areas

WASHINGTON, D.C. (August 14, 2015) – Interior Assistant Secretary for Insular Areas Esther Kia’aina today announced \$500,000 in grant assistance under the Office of Insular Affairs’ Technical Assistance Program for two non-governmental organizations, one in Hawaii and one on Guam, both collaborating with federal, state, and territorial officials on the ground to establish wrap-around one-stop social services for migrants from the freely associated states (FAS) of the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau.

“Given the financial and social welfare of migrants from the freely associated states, it is important that the federal government do what it can within its current resources to help empower our Micronesians communities as well as help affected jurisdictions like Hawaii and Guam,” said Assistant Secretary Esther Kia’aina.

Since the implementation of the Compacts of Free Association with the freely associated states, many citizens from these nations have legally migrated to Guam and Hawaii for health, education, and work purposes. In 2013, Census data estimated 14,700 migrants from the FAS living in Hawaii with 17,170 living on Guam. In recent years, both governments estimate spending between \$100-\$150 million on public assistance, mostly for health and education.

Under current federal law, annual mandatory funding for Compact Impact Aid is capped at \$30 million that is shared between Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa, while Compact Impact discretionary funding averages around \$3 million.

“While the federal government works in concert with affected jurisdictions on short- and long-term strategies on addressing policy and funding solutions to provide increased Compact Impact Aid, it is equally important for us to ensure that citizens from the freely associated states have fair and equal access to quality of life while living in the United States,”

added Assistant Secretary Kia’aina. “The Micronesians One Stop Service Centers have been a priority for the community and service providers for a long time, and I am pleased that we were able to help with their establishment.”

The organizations awarded include:

Partners in Development Foundation (Hawaii) - \$250,000 to help We Are Oceania, a One Stop Service Center for Micronesians that will serve as a central physical and electronic resource center linking the various Micronesians communities living in Hawaii with public services and other resources in a way that is culturally sensitive and appropriate. The initial focus of the center will be in the areas of health, education, housing and homelessness, as well as labor. It is centrally located at St. Elizabeth’s Episcopal Church in Honolulu.

Big Brothers Big Sisters of Guam – \$249,892 to create a Micronesians Resource Center One-Stop Shop Project to assist Compact migrants traveling to and living on Guam.

The Micronesians Resource Center will use the funding to increase the capacity of public and non-governmental entities to improve the integration of FAS migrants. They will provide assistance to new arrivals through orientation services, provide workforce development training and employment services, as well as provide family support initiatives to address cultural and social challenges. The center will be located in the village of Yona. However, to increase its outreach into the community, the center will take their “one-stop shop” services on the road through the use of a Mobil Access to Information (MAI) Van.

The Assistant Secretary for Insular Areas carries out the administrative responsibilities of the Secretary of the Interior in coordinating federal policy for the territories of American Samoa, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands and administering and overseeing U.S. federal assistance to the Freely Associated States of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau under the Compacts of Free Association. The Assistant Secretary executes these responsibilities through the Office of Insular Affairs.

Our Lady of Mercy Church members send aid to Maysak victims

By Daniel Rescue

Since April of this year, the International Community of Our Lady of Mercy Church in Kolonia, Pohnpei has been collecting donations for victims of typhoon Maysak specifically for the islands of Chuuk and Yap. 30 boxes of clothes and blankets were collected, along with 50 cases of water, 50 cases of ramen, 20 bags of sugar, and 20 bags of flour were also purchased. These items left Pohnpei on September 5, 2015 on their way to Chuuk and Yap. In Chuuk, Father Julio Angkel and Father Jaynick Engichy will be responsible for

the distribution of the donations, and Lt. Governor James Yangtemai and Dorothy Chieg will oversee delivery in Yap.

The International Community of Our Lady of Mercy Church would like to thank the following individuals and entities for their generous support: Matson Shipping Company officials Len Isotoff (Hawaii), Bernadette Valencia (Guam), Ricky Olter and Einstein Susaia (Pohnpei), Enericka Peterson and Seven Stars Store, Pohnpei Port Authority, Federated Shipping Company (FSCO), Chuuk Catholic Vicariate Office, Yap State Governor’s Office, and everyone who made donations.

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Education Corner: Richard Womack, Ed.D

TO: Community
FR: Education Corner
RE: Homework for Holidays

Last month Education Corner spoke about student and teacher attendance. The homework was mostly to observe your community and see if children are going to school on time. If they are not in school and on time they cannot learn. Likewise there was a little homework to begin watching teacher attendance. For sure our children cannot learn if teachers are not present to teach them. Also EC hopes teachers are putting the students first and don't spend a whole school day at a promised brother's third cousin's father-in-laws promised brother's funeral.

But today EC comments on holidays and those are the wonderful days when students, teachers and the principal do not have to attend school. Of course all public service employees love a holiday. It means "no work". Most of us never think about why the day is so important. After all, it is a paid holiday and tax payers are paying teachers not to go to work. The day must be important if we're being paid not to work.

Twenty five or so years ago I asked a group of college students, "What is the purpose of Pohnpei Liberation Day?" The answer was an overwhelming, "So we can play games". I would never have expected American students to say that Americans celebrate the 4th of July, "So we can shoot off fireworks and have parades". At once I recalled an old Professor's advice: "Never let the student

have a day off without a lesson as to why. Every holiday deserves a social studies lesson." He said something about cause and effect in the social sciences.

Anyway, last Friday 9/11 was a holiday-Pohnpei Liberation Day. EC hopes the lessons were more about the present than the past. Yes it marked our end to World War II and Japanese Colonial occupation. At the same time it liberated us to run our own lives and have a democratic government. . Of course we cannot rewrite history and we are all friends today. Colonial times were harsh times for those being occupied and for some very harsh. But Liberation Day Micronesians were freed from Colonialism, a policy practiced by many powerful countries such as Spain and Germany here in the FSM. Our 9/11 means we were liberated to go toward something not just from something.

Today most of the world and the United Nations disapprove of strong nations taking over weaker places like our islands and using them for their own advantage. Colonial times were harsh times for those occupied and for sure education was not the same. While the Japanese did begin the first "Public Education" that education was for only three years and was designed to make Micronesians loyal parts of the Japanese Empire. It was never in the interest of Colonial Powers to provide too much education for the people—after all people might find out about being free and running their own lives. A little education was fine but

just enough for the masses to communicate and understand who were in charge of their lives. Today countries such as the United States, China and Japan which were all enemies at one time join together to help the FSM to move toward a free and better life for the citizens. All of the countries now say "the more education the better". These former enemies are now our friends and big donors to FSM education. EC hopes the Liberation Day lessons were about being liberated to go TO something rather than liberated FROM something. Enough about Liberation Day! It was last Friday anyway.

Before Veterans Day (11/11) think about your family members who joined a branch of the U S Armed forces. EC is sure most of them have benefitted from their service and we can be thankful for those family members. But get some "extra credit" by visiting the "Honor wall" at the Pohnpei Airport where you can see the pictures of the young FSM men and FSM women who made the ultimate sacrifice in the service of the United States. They sacrificed their lives and brought honor to their family, their village, their State and to their new nation. Take your children and point out these heroes. Have a short prayer or a moment of silent honor. When we pay tribute to our fallen heroes we are reminded that no price can be put on human life.

Today it is difficult for us to take the criticisms when our citizens migrate to Guam and Hawaii. We see figures of millions of dollars

for health care, education, public safety and welfare at a cost to U S taxpayers. Indeed these are partially offset by many of our hardworking FSM citizens—paying taxes and contributing to their communities. But our migration and associated cost are real. When you look and think about our heroes remember there is no price for human life. These young men and women have paid something for all of us. Tell your children we accept help—but we have given much. We can all be proud for and with our Veterans on Veterans Day.

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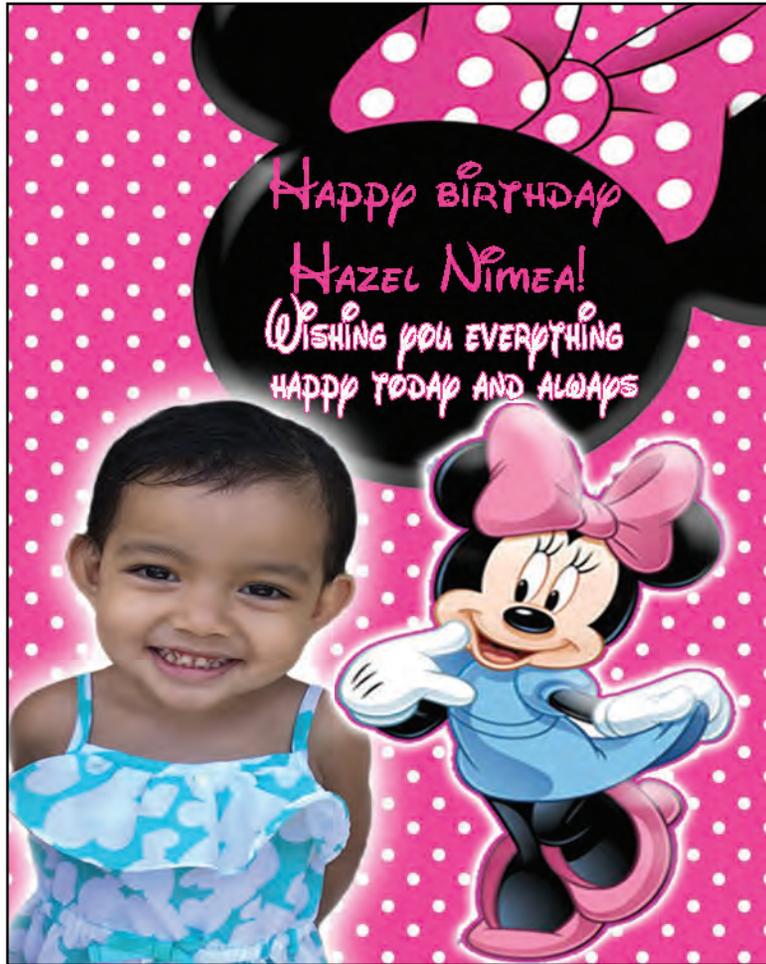
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FSM (TC)

FSM and PNG sign amendment to maritime boundaries

On September 7, 2015 in Port Moresby, the Federated States of Micronesia and the Independent State of Papua New Guinea signed the Amendment to their Maritime Boundaries Treaty. The amendment improves the treaty with new coordinates and maps in the original treaty signed back in July 1991 in Palikir, Pohnpei. H.E. Peter M. Christian, President of the Federated States of Micronesia and the Prime Minister of PNG, the Right Honorable Peter O'Neil signed the amendment on the occasion of the 46th Pacific Island Forum held in Port Moresby, Papua New Guinea.



With the advancements of technology and mapping systems, FSM and PNG have been working together in the last few years to improve the coordinates used through a series of technical and legal meetings supported by the SPC-Geoscience Division and the Attorney Generals' Department of Australia and Forum Fisheries



Prime Minister Peter O'Neil, SPC Director-General Dr. Colin Tukuitonga, President Peter M. Christian

Agency. President Christian thanked those agencies for their legal, technical and financial support, which has culminated in the signing of the Amendment to the original treaty. He expressed with appreciation that the two countries can now go to sleep and wake up not asking if someone has moved the boundaries.

Speaking before the signing, Prime Minister O'Neil stated that "This will enhance some of the work that we are going to do in fisheries and other maritime activities between our two countries". Both Leaders stressed the improvement that this amendment will make on fisheries management and enforcement of their waters rich in tuna resources. President Christian also thanked PNG for their continued leadership in other collaborative work with FSM. These on-going efforts include: the Joint submission on the Ong Tong Java Plateau continental shelf, FSM's Euripik Rise and Mussau Ridge submission's. President Christian concluded his remarks by stating that the signing of the Amendment closes a 24 year "unfinished business" on the FSM-PNG maritime boundaries and it is time to move on to other important cooperative arrangements that the two countries can mutually benefit from.

LYON presents

