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## 1984 seen as time to complete Compact approval

# 1983 year of major decisions

KOLONIA, Ponape — The year 1983 was one when major decisions were made in the FSM with the approval of the Compact of Free Association and the election of state and national leaders, and 1984 will be the year to carry out those decisions, according to President Tosiwo Nakayama.

"The approval of the Compact was our main accomplishment of the year," the President said, citing the overwhelming 79 per cent vote for the pact on June 21 throughout the FSM.

The President called on all FSM citizens to work together to gain approval of the Compact by the U.S. Congress in 1984 in order to bring the U.N. trusteeship to an end after 37 years.

The year also saw the first meeting of the FSM, Marshall Islands and Palau presidents who signed the historical Saipan Accords on Oct. 6, agreeing to work together on gaining approval of the Compact and other areas of cooperation.

A new FSM Congress was elected on March 8 and Third Congress reelected Nakayama as President, while electing Bailey Olter of Ponape Vice President, replacing Petrus Tun of Yap who did not seek re-election.

Resio Moses was elected Ponape governor in a March 29 runoff election with incumbent Gov. Leo Falcam, and Ponape elected a new legislature on Nov. 11.

The year began with the President attending the Jan. 3 inauguration of Gov. Yosiwo George in Kosrae. He asked the

people of Kosrae to support the Compact, and pledged his assistance to the new administration.

In Yap, Gov. John de Avilla Mangefel was sworn in for a second four-year term on Jan. 11.

In a joint meeting which began Jan.

10, the coordinators for the Compact information program and the state plebiscite commissioners were asked to develop work plans and organize state information task forces, but were warned that the program could be stopped for lack of

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**TROPICAL SANTA**—Santa Claus is throwing candy to children at the Ohmine Elementary School in Kolonia from the top of a Ponape State firetruck on Dec. 23 with the assistance of Kiwanis Club of Pohnpei members. Santa visited schools throughout Ponape Island and Pingelap that day and Parem and Takeieu-Depehk schools on Dec. 22, in addition to candy being sent to most Ponape outer islands as part of the club's annual Christmas project.

## President sends greetings

KOLONIA, Ponape — President Tosiwo Nakayama cited 1983 as the year of important decision making and urged the people of the FSM to work together to build a brighter future for this nation in his annual Christmas Message.

Following is the text of the message:

"My family and I wish to extend our best wishes to the people of the Federated States of Micronesia during this holiday season which brings to a

close one of the most important and eventful years in the development of our young nation. It was a year of important decision-making which brings us a step closer to our destiny as a sovereign and self-governing people. We must now all work together to make a brighter future for ourselves and our loved ones.

"With that in mind, we wish you a very Merry Christmas and a prosperous 1984."

### Inside....

**FSM to manage CIP**

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**CCM dorm filled**

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# Truk seen establishing base for development

MOEN, Truk--Truk is slowly establishing a base for the development of its economy which was set back by the 1982 cholera epidemic and reoccurrence of the disease this year, according to Gov. Erhart Aten.

"The economic situation in Truk is really bad at this point in time," Aten said.

"However, we are doing something about it," he said, citing the fisheries program centered on the Dublon project, the small industries program, agriculture and a new coconut processing plant which began operating in October.

The exports of handicrafts by the Small Industries and fish are bringing outside revenue to the state, he noted.

"They are all slow (in developing), but I think we are heading toward establishing a base for economic development," the governor said, noting that projects are all in the Truk State Economic Development Plan which is part of the National Five-Year Development Plan.

With fisheries development for export earnings as the No. 1 priority, the state is seeking funds to complete the complex at Dublon where the dock was completed and dedicated in 1982, the governor said.

The FSM Congress provided \$250,000 to begin preliminary work on the second phase, shore facilities, including a water system and "if monies can be stretched, cold storage," he said, adding that an electrical power system for the complex and Dublon population is in the planning stage.

State Resources and Development Director Redley Killion, who is in charge of the development projects, said that about 200 men have been trained in the fisheries program which holds the major potential for development in the state for pole-and-line tuna fishing and bait fish production to support it.

"We can run a fleet of at least 10 to 15 (pole-and-line) boats," Killion said, noting that most of the men trained are working on private fishing boats.

Bait fishing groups were trained and set up on Udot, Fefan and Parem islands to supply the tuna boats with funds provided by the Pacific Tuna Development Foundation, he said, noting that the government is operating three pole-in-line boats, including one assigned to Oneop, in the Mortlocks, and there are five private pole-in-line boats.

"The primary objective in agricultural development is import substitution," Killion said, citing the piggery breeding

and development program at the State Agriculture Station.

The Small Industries program could be expanded, Killion said, citing the success of the breadfruit flour mill which was being moved from Moen to Fefan where it was expected to begin operating in January.

Small Industries Advisor Greg Cane said that handicraft sales are averaging at least \$80,000 a year for all of Truk which is supplying retailers in Kwajalein and Hawaii, in addition to local sales to tourists.

Small Industries also has a sea shell export project started by Cane's wife, Bobbie, and a small rock-crushing operation, welding shop and sawmill being operated by Albino Mualia; two furniture shops; an electrical and appliance repair service, operated by Mino Mori, and a machine shop for which the state requested a U.N. volunteer to provide metal work training, Cane said.

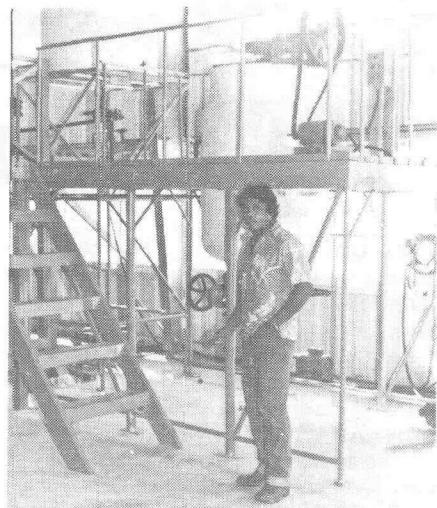
The Truk Coconut Processing Plant, located near the Continental Hotel, Southfield, Moen, began processing oil late in October and was to have its soap-making section producing laundry soap by January, according to Nelson Killion, plant manager.

It is modelled after the Ponape Coco-



WELDING SHOP—Albino Mualia, left, manager of the Truk Small Industries welding shop, and Hallen Fritz are showing some of the playground equipment they are constructing for the Truk State Education Department. Mualia is also operating the Small Industries sawmill and rock-crushing machinery.

nut Products plant near PATS high school. The Truk State Legislature provided \$197,000 and the FSM Congress \$100,000 for construction and operations, Killion said, noting that a dedication ceremony is being planned for a date to be set in January.



COCONUT PLANT—Nelson Killion, manager of the Truk Coconut Processing Plant near the Continental Hotel in Moen, is showing the soap-mixing machinery at the plant which was constructed with funds provided by the FSM Congress and Truk State Legislature. The plant was expected to be in full operation in January.



HANDICRAFTS DISPLAY—Lynne Ludwig, office manager for the Small Industries Project Handicrafts Shop in Moen, is displaying crafts produced throughout Truk and sold in the shop and at local stores to tourists, in addition to being shipped to Kwajalein and Hawaii.

# 1983 year of major status, leadership decisions

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funds.

Nakayama signed 20 bills into law from the Second FSM Congress fourth regular session and vetoed one bill which would have authorized Congress to distribute foreign aid goods and services.

Nakayama signed into law, bills: establishing the Compact Plebiscite Commission, providing \$230,000 for the Telecommunications Corp., creating the disaster relief fund, appropriating \$2 million for FSM capital and College of Micronesia architectural and engineering design in Palikir, establishing a revolving fund for the liaison offices in Guam and Honolulu and renaming the Washington Liaison Office the "Washington Representative Office" and the liaison officer the "representative in Washington."

Ihlen Joseph, FSM Budget Office Administrative Management Chief, was appointed central coordinator for the FSM Plebiscite Commission.

State and national budget and plan-

## Congress PIO named

KOLONIA, Ponape---Marialice Burford Eperiam, a University of Missouri journalism graduate who came to Ponape as a Peace Corps volunteer in 1977, became the FSM Congress Information Officer on Dec. 15, according to Speaker Bethwel

Henry.

Mrs. Eperiam replaced Ben Ruan who resigned in July to return to Yap.

A native of Teutopolis, Illinois, and graduate of the Teutopolis Community High School who entered the Peace Corps imme-



Eperiam

diately after being graduated from the University of Missouri, Mrs. Eperiam, 28, worked as a language information specialist at the Ponape State Agriculture Station, editing a newsletter and teaching agriculture to high school students, 1977-78.

She worked 1979-80 in the Agriculture Extension Service Information Office at New Mexico State University, Las Cruces, while her husband, Emencio Eperiam of Ponape was attending the university. She has served as a proofreader for the FSM Congress since returning to Ponape in 1980.

ning officials met in separate conferences on Ponape to develop new budget procedures to follow during the Compact years and to identify projects for the National Development Plan.

FSM Sen. Hirosi Ismael was elected president to head Kosrae constitutional convention.

Dr. Catalino Cantero of Ponape was named Community College of Micronesia president effective Feb. 6 by the College of Micronesia regents meeting Jan. 17-21 in Saipan. Cantero replaced Resio Moses who resigned to run for governor in Ponape.

On Feb. 1, Ponape Coconut Products began operating its plant near PATS high school which was destroyed by fire on Oct. 9, 1982.

On Feb. 10, Gov. Falcam was elected Ponape State Constitutional Convention chairman.

South Pacific Commission Mobile Training Unit began its nine-month community development training program on Ponape on Feb. 7.

The FSM Status Commission, after meeting Feb. 11-15 with U.S. negotiators, recommended June 21 as the date for the FSM plebiscite on the Compact.

Truk Gov. Erhart Aten took a \$15.9 million cholera eradication plan to Washington, D.C., saying "The number of cases have come down drastically, but that does not mean that cholera is gone."

Dr. Austin Ranney of the American Enterprise Institute, Washington, and Dr.

Eugene Lee, Institute of Governmental Studies director, University of California, Berkeley, election experts contracted by the Interior Department to observe the Compact plebiscite, visited Ponape and Truk.

The first signs of El Nino drought damage were reported with Yap Gov. Mangefel said that Yap water system would be shutdown and suggested that travelers bring their own water.

On March 2, the President officially proclaimed June 21 the date of the FSM plebiscite.

In the March 8 congressional elections, Joab Sigrah won the four-year term and Claude Phillip the two-year seat in Kosrae; John Hagelgam, four-year terms, and Isaac Figir, two-year term, Yap; Bailey Olter, four-year, and Bethwel Henry, Peter Christian and Elias Thomas, two years, Ponape; and Tosiwo Nakayama, four years, and Raymond Setik, Jack Fritz, Kalisto Refalopei, Sasao Gouland and Tony Otto, two years, Truk.

The incumbent governor was forced into a March 29 runoff election by the former CCM president in the March 8 voting in Ponape. Moses won the runoff vote.

Ponape became the first FSM state linked to the rest of the world by satellite communications when its earth station was dedicated on March 25 with a telephone call from Nakayama

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ORIENTATION VISIT—Shintaro Yamashita, third from left, Deputy Director General of the Japanese Foreign Ministry American Affairs Bureau, and Kunihiko Makita, fourth from left, are visiting President Tosiwo Nakayama, second from left, Dec. 23 during an orientation visit to the FSM, after attending civil aviation negotiations in Hawaii. Clockwise from left are FSM External Affairs Secretary Andon Amaraich, Nakayama, Yamashita, Makita, James Shintaku of the Japanese Consul General's Office in Guam, FSM Deputy Chief for Asian Affairs Jesse Raglmar and Vice President Bailey Olter.

# 1984 seen as year to pursue status objective

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to U.S. Vice President Bush at the White House.

In April, the FSM Supreme Court Chief Justice Edward King ruled that the FSM Court is the ultimate authority to interpret the FSM Constitution in releasing a traditional leader jailed without hearing or bail by the T.T. High Court.

The FSM and Japan exchanged notes on a \$1.5 million aid agreement in an April 6 ceremony in the Congress chamber.

Ponape schools were declared closed April 8 by Gov. Falcam due to drought-caused water shortage. Drought impact worsened throughout the states, and the FSM Chief Executives meeting in Ponape asked the President to request all U.S. survey of the damage through the High Commissioner.

The President and governors, in the April 15-18 Chief Executives Conference, agreed that the FSM should seek take-over of the administration of the new CIP projects.

FSM leaders mourned the April 10 death of U.S. Phillip Burton, former chairman of the House subcommittee on insular affairs.

Kosrae constitutional convention ended April 1 after completing a draft constitution which provides for recall and impeachment of public officials and ranks tradition over individual rights.

The Ponape State Legislature approved April 28 a resolution a delay in the Compact plebiscite to Jan. 24, 1984, to provide more time for the public information program.

On May 10, the Third FSM Congress re-elected Tosiwo Nakayama as President and elected Bailey Oler as Vice President.

The Congress also re-elected Bethwel Henry of Ponape as its Speaker and Joab Sigrah of Kosrae as Vice Speaker, while naming John Hagelgam of Yap floor leader.

Nakayama and Moses were jointly inaugurated President and governor in a joint FSM-Ponape state inauguration on May 12. Moses had been sworn in as governor on May 1.

Nakayama announced May 27 his decision to retain June 21 as plebiscite date.

Former Vice President Tim appeared May 26 before the Third Congress and urged for more consultation and teamwork between the Congress and the executive branch.

Congress ratified a postal service agreement with the United States and a fishing agreement with the American

Tunabot Association during its first regular session which ended June 7.

Deputy External Affairs Secretary Astorio Takesy asked the U.N. Trusteeship Council on May 16 and 27 to assist in quickly terminating the Micronesian trusteeship, citing the upcoming June 21 plebiscite on the Compact.

The FSM Congress during the first regular session joined the college of Micronesia Board of Regents in urging the three Micronesian presidents to decide whether to continue the college system in its present form.

On June 21 the Compact won in a landslide throughout the FSM by 79 percent of the votes, despite the majority in Ponape going against it.

U.N. observers praised the conduct of the FSM plebiscite with British Ambassador John Margetson, U.N. Trusteeship Council President and chairman of the U.N. Visiting Mission, saying, "I think the polling procedures and counting of the votes were very well done, indeed."

Nakayama urged the Trust Territory High Court to use "caution" in exercising its authority in the FSM during the dedication on June 18 of the FSM Supreme Court Building annex.

Nakayama declared the June 21 Plebiscite results as official and final and urged the state legislatures to approve the compact.

Gov. George July 5, proclaimed Oct. 14 as the date for the referendum on the Kosrae draft state constitution.

The Truk State Legislature was the first to ratify the Compact by a roll call vote of 21 or 75 per cent for, one against and six absences during its second regular session on July 29.

The Micronesian Maritime Authority (MMA) officials reported that Fishing Fees talks with representatives of the Japanese Fishing Association held July 25-28 on Ponape were suspended since there was an inability to reach agreement on the major issues of the negotiation.

International Monetary Fund (IMF) Consultant C.R. Jauchem urged FSM leaders during the 7th FSM-State Leadership Conference to establish a National Development Authority (NDA) to manage the actual cash that comes to the FSM after the beginning of the Compact fiscal year.

Congressional special election candidates Koichi Sana of Truk and Pedro Harris of Ponape were declared winners by their respective state election commissioners in races held July 14 on Ponape and July 15 on Truk.

In the FSM Education Leadership Convention held July 21-27 on Ponape, the President cited the possible "brain

drain" under the free-migration provision of the Compact.

The FSM Coconut Development Authority (FSMCDA) announced July 25 that it projected a domestic savings of about \$1 million by its development program within the next three to four years.

The U.S. Congress increased funding for FSM for fiscal 1984 including \$2 million for Truk cholera.

Nakayama completed action on 19 bills enacted by the Third Congress during its first regular session which ended June 7 by signing July 19 into law an act amending to FSM Micronesian Telecommunications Corp. personnel regulations.

Deputy Assistant Secretary of Interior Richard Montoya called for more communication and cooperation between the FSM and the Office of Territorial and International Affairs during his Aug. 20-24 visit to Ponape. He praised the FSM for "biting the bullet" in avoiding deficit spending. He met with FSM and Ponape state officials and College of Micronesia Regents and staff.

Ponape State Legislature named Salter Etse of Madolenihmw as Speaker and confirmed Bernell Edward as replacement from Kitti of former Speaker Edwel Santos who became Acting Chief Justice for Ponape State on July 18.

Nakayama also vetoed on July 20 and Act which would require the resignation of public officials whose appointments are subject to advice and consent of Congress, within 30 days after the inauguration of the President, saying that the bill created a difficulty by not considering the possibility that Congress may not find enough time to conduct advice and consent hearings in 30 days.

The President also vetoed on July 15 an act in which would reduce maximum base salary of public service system employees from \$1,256 to \$787.20 biweekly and freeze current base salary of the maximum rate.

Aug. 17 Yap State Legislature ratified unanimously the Compact.

Assistant Secretary of Interior for Territorial and International Affairs Pedro Sanjuan informed Nakayama that he would join the U.N. political Affairs on Sept. 6.

Kosrae State Legislature ratified Compact on Aug. 29, fulfilling the FSM Constitutional requirement that the Compact be ratified by three of the four states.

The FSM Congress unanimously ratified the Compact on Sept. 2 after the Ponape State Legislature disapproved it.

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# 1984 seen as year to complete Compact process

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The Commission on Future Political Status and Transition reelected, Vice President Bailey Olter its vice chairman and status Committee chairman during its meeting which began Aug. 17 in Ponape.

General Accounting Office officials told FSM leaders that they have to find ways to curb the rising cost of medical referrals during a GAO team visit Aug. 21-26 to Ponape.

The FSM seized a Japanese fishing vessel and its, catch while allegedly fishing Aug. 17 14 miles inside the FSM fishing zone 180 miles west of Kapingamarangi Atoll, Ponape State. The Goyu Maru No. 2 was seized for fishing in the FSM extended fishing zone after the latest agreement with the Federation of Japan Fisheries Cooperative Association expired on Aug. 1.

A U.S. - flag fishing vessel, Sea Treasure, was caught Aug. 29, actively fishing 67 miles northeast of Kapingamarangi Atoll, Ponape State, by the FSM surveillance vessel Arctic. Sea Treasure fled the scene resisting apprehension.

Nakayama led the FSM delegation to the South Pacific Forum meeting Aug. 28-30 in Canberra, Australia.

Gov. George submitted Kosrae reorganization and salary plans to Kosrae state Legislature on Aug. 30.

Gov. Aten announced he had reinstated the Truk State Cholera Task Force and reimposed travel restrictions within the state due to a reoccurrence of the disease during a Sept. 9 meeting in Ponape to brief the President on the extent of the new outbreak.

Nakayama issued Sept. 14 emergency travel procedures to prevent the spread of cholera to other FSM states.

The Third FSM Congress opened its second regular session on Oct. 10 with Senator Jack Fritz of Truk denouncing the U.S. government for reportedly refusing to assist in apprehending the fugitive fishing vessel, Sea Treasure.

Nakayama participated in the Oct. 1 opening ceremony in Saipan for the 23rd South Pacific Conference the FSM became a full participating member of the South Pacific Commission under the reorganization procedures adopted by the Conference.

Nakayama with Presidents of the republics of the Marshall Islands and Palau signed Oct. 5 the "Saipan Accords" dealing with mutual concerns such as the Compact of Free Association and the College of Micronesia.

The Ponape State Legislature passed a bill changing the Nov. 11, 1983 constitution referendum date to July 2, 1984 to

provide time to complete its draft, translations and public education program.

Thirty-four police officers completed 13-week Micronesia National Police Academy course at Alaska Department of Public Safety Academy, Sitka, Alaska.

Twenty five trainees who completed the nine-month SPC Mobile Training Unit Program were urged by the President to use their new skills in their communities, during the Oct. 27 closing ceremonies at Nan Madol Hotel.

The President and governors, in the fifth FSM Chief Executives meeting, Nov. 1-5 in Ponape adopted a resolution urging the U.S. Congress to expeditiously approve the Compact.

Gov. Moses announced an end to the state government hiring freeze and plans to upgrade education, health and public safety programs Oct. 7 in his first State-of-the-State Message to the Ponape State Legislature.

The Australian and New Zealand Pacific Affairs chiefs visited Ponape while enroute from the South Pacific Conference in Saipan.

President Tosiwo Nakayama announced the completion of the National Development Plan and urged the FSM Congress to follow its guidelines for funding local projects Oct. 28 during his fourth annual State of the Nation Message. He also announced that a settlement was reached on with the owners of Goyo Maru No. 2.

Kosrae voters approved their proposed new state constitution by 74 percent of the total votes cast in Oct. 14 referendum.

Sixty candidates, including 19 incumbents filed for the 20 seats in the Nov. 11 elections for the Ponape State Legislature by the Oct. 11 deadline.

Former Ponape Gov. Leo A. Falcam was designated Nov. 8 by the President to be interim FSM Postmaster General and nominated to be the first permanent Postmaster General.

Congress approved a \$371,541 supplemental funding bill and \$91,800 for the compact information program in Washington during the final day, Nov. 8, of its second regular session.

Fourteen incumbents were reelected Nov. 11 to the Ponape State Legislature. The biggest upset was the loss by Vice Speaker Hilary Conrad by 10 votes to former State Finance Director Herculano Kohler in Sokehs.

In its first case determining the constitutionality of a Congress law, the FSM Supreme Court upheld on a Oct. 28 provision of the National Public Service System Act allowing a management

official to make the final dismissal decision.

Nakayama cited new era of cooperation, President Amata Kabua wanted Air Marshall Islands to start Kosrae service and Republic of Nauru Deputy President Buraro Detudamo proposed a triangle pattern of air service between Kosrae, Ponape and Nauru during the Dec. 9 Kosrae airport and dock dedication ceremony.

Kathy Johnson of the House Committee staff who was accompanied by Laurie Neville of the Office of Territorial and International Affairs Micronesia Desk and Tommy Perez of OTIA Technical Assistance Office in Guam visited Ponape Dec. 4 as part of her Nov. 28- Dec. 14, orientation trip throughout Micronesia.

FSM President Tosiwo Nakayama, President Haruo Remelik of Palau and President Amata Kabua of the Marshall Islands met Dec. 12-13 in Guam to follow up on the Saipan Accords.

## Beacon demonstrated

KOLONIA, Ponape--The Ponape State Economic Development Administration is demonstrating one of three solar-powered flashing beacon lights to be placed in reef channels in front of the governor's office, according to EDA Executive Director Anson Chong.

The sun charges a sealed battery which has a minimum four-year life during the day and photo-electric cells turn on the flasher at night in each beacon New Zealand-manufactured which can be seen more than 20 miles at sea, Chong said.

The beacons are scheduled to be installed in February outside of the Kitti, Madolehnhahw and Kolonia channels by the EDA and the State Conservation and Resource Surveillance Department as part of the Ponape Five-Year Marine Resources Development Plan funded by the FSM and state governments.

## Lucios commended

KOLONIA, Ponape--Roselain Lucios was recognized Nov. 27, 1983, for outstanding performance over the past employee-evaluation period with a promotion to Accountant III and branch manager for the U.S. federal funds in the FSM Finance Department, according to Finance Acting Secretary Tiser Lippwe.

Lucios, 25, a native of Kolonia, has been with Finance Department for the past three years.

# Alien ordered to repay costs during illegal stay

KOLONIA, Ponape — Peter Jorg, an Austrian found guilty of unlawfully remaining in the FSM seven months beyond his entry permit, was ordered by the Supreme Court to reimburse the national government for his living expenses, provide community service work and leave within two months.

FSM Supreme Court Chief Justice Edward King deferred imposition of sentence on Dec. 14, telling Jorg that if he meets the conditions set, no sentence will be imposed and there will be no criminal record.

Jorg is to reimburse the FSM government \$1,425 provided for his housing and food within two years, with 12 per cent interest added after one year. He was to report Dec. 15 to Supreme Court Justice Ombudsman Nickontrio Johnny to begin five hours a day and 25 hours a week of community service work.

In a Dec. 12 opinion based on a Dec. 9 hearing the Chief Justice cited the difficulties experienced by Jorg and his fiancee, Heidemarie Eggersmeier of West Germany, in their efforts to leave the FSM by boat, after they arrived Feb. 16 in Ponape to rendezvous with a friend to sail to Majuro.

At the direction of the FSM Immigration and Labor Division, they bought Air Nauru tickets to Nauru to guarantee their departure and were granted authorization to remain 30 days until March 15 which was never extended, according to King.

The rendezvous did not materialize, so they arranged to sail from Ponape with a Swedish couple for \$800 a person, after Jorg repaired the sailboat's auxiliary motor which broke down after they departed, forcing them to divert to Kosrae where the Swedish couple left them stranded, without refunding their \$1,600.

They lived off food and housing provided by individuals in Kosrae and returned Aug. 16 to Ponape where the FSM paid living costs while contacting their home governments to provide travel funds, according to King, who said that Miss Eggersmeier departed after the West German government provided a loan for her to purchase an airline ticket.

The Austrian government offered to loan Jorg \$1,226 for an airline ticket to Vienna, if he signs a promissory note to repay within 30 days. Jorg reportedly rejected the offer, stating that it would be impossible for him to repay the loan within 30 days which would cause him to have to go to prison in Austria, and that he arranged to sail to Manila with another West German, after his boat is repaired in a month or so.

King found Jorg guilty of violating a

provision of the FSM Code (50 FSC 112) which states that a noncitizen who "remain willfully and unlawfully after expiration or revocation of his entry authorization" may be subjected to two years in prison, fined up to \$10,000 and deported.

"An intinerant Austrian citizen is accepting food and housing from the (FSM), a small, new, relatively poor nation, while simultaneously refusing to

accept travel funds from his own nation because he does not like the terms," King said, stating that his court should not serve a mediator between a visitor and his home country.

He said that the law requires that Jorg "respond to the statutory mandate to depart now, to his personal preferences to linger awhile longer and depart by a more attractive means to a more preferred destination."

## Benson upholds weapons act wording

MOEN, Truk — The definition of a "dangerous device" in the Trust Territory Weapons Control Act is adequate to project due process rights, FSM Supreme Court Associate Justice Richard Benson said in an Aug. 10 opinion denying motions to dismiss charges in two cases involving possession of sling shots with spears and darts for projectiles.

Benson also ruled that the Supreme Court has jurisdiction over crimes committed under the Weapons Control Act by virtue of its being incorporated into the National Criminal Code by the FSM Congress, and that the national code properly defines and identifies major crimes by stating the exclusive category to which they belong.

An order was issued by the justice on July 28, denying the motions to dismiss in the consolidated case which was heard before him on May 27 in Truk.

Sinfy Nota was charged with possessing a dangerous device, a sling shot and two spears on and Clindon Joker was charged with possessing a dangerous device in the form of a sling shot and dart on, both without identification cards permitting such possession.

The Weapons Control Act defines a "dangerous device," among other items as "any instrument designed or redesigned for use as weapon, or any other instrument which can be used for the purpose of inflicting bodily harm...."

Benson said that "this court finds that the statute is clear as to intent (to proscribe weapons of violence), and its terms become certain in light of that intent."

On the jurisdiction question, Benson said, "When the National Criminal Code was enacted and major crimes were defined, the Trust Territory Weapons Control Act became national law and trials for violations thereof were within the jurisdiction of this court."

He said that references to the High Commissioner and TT Attorney General do not prevent its effectiveness as FSM national law.

The defendants argued that the National Criminal Code improperly defines

major crimes by the penalty imposed, those punishable by imprisonment for three years or more, instead of stating the offenses and their elements.

"The court cannot agree," Benson said, stating, "An object may be defined and identified by stating the exclusive category to which it belongs."

He cited the Nov. 12, 1980, Judiciary and Governmental Operations Committee report on the criminal code which states that the three-year punishment dividing line was purposely adopted to allow "the states to regulate a wide range of conduct to determine its criminality, but still meets the constitutional responsibility of the Congress to define 'major crimes.'"



BRIDGE DEDICATION—Elsyner Santos, center, wife of Ponape State Court Chief Justice Edwel Santos, is cutting one of two ribbons during the Dec. 16 dedication of the Lehnmesi Bridge in Kitti. She is assisted by Mrs. Pelwin Paul, left, and Mrs. Wagner Lawrence, wives of the Kitti Municipal Council vice speaker and speaker respectively. The 60-foot bridge was constructed by the Ponape Transportation Authority with \$20,000 in scrap to bring the island circumferential road within 4.5 miles from completion.

## New Pingelap Election seen

KOLONIA, Ponape—Gov. Resio Moses said he was unable to certify the re-election of Job Micah to represent Pingelap in the Nov. 11 State Legislature elections which will require a new election in that district.

The initial unofficial vote tabulation reported by State Election Commissioner Samson Alpet gave Micah a 24-vote margin with 415 votes to 391 for Delson Ehmes, an FSM Congress staff attorney.

Alpet said in a Dec. 21 letter to the governor that "I hereby certify the results of the Ponape State Legislature Election of Nov. 11, 1983, with the exception of the Pingelap Election District.

"The non-certification of election results of the Pingelap election district is necessary as it failed to meet standards required by the Ponape State Election Laws," Alpet said.

In his Dec. 21 declaration of winning candidates in the Nov. 11 elections, the governor said, "No winning candidate has been declared in the Pingelap election district, since the Election Commissioner has been unable to certify the results of the election in that....district."

Moses later said, "There will be another election of Pingelap representative in the legislature--where and when will have to follow the dictates of the law."

There is no provision for new elections in the case of irregularities, so the date and funding for such a special election will have to be determined by the new legislature when it meets Jan. 9, according to an official in the State Attorney's Office.

The State Attorney recommended non-certification of the Pingelap vote due to alleged discrepancies in the number of absentee ballots and votes reported from Ponape proper and the votes tallied on a recount ordered by the governor, officials said.

The governor certified the 19 remaining winning candidates, including Salter Etse, Nelson Pelep and Midion Neth, Madolenihmw; Francis Simeon and John Edmond, Nett; Felciano Perman, Annes Lebehn and Herculano Kohler, Sokehs; Ambros Senda and Joseph Moses, Uh; Relio Yamada and Yosuo Phillip, Kolonia; Kasiano Joseph, Alter Paul and Bernell Edward, Kitti; Simiron Jim, Mokil; Baker Meninzor, Ngatik; Dison Gideon, Nukuoro, and Iop Lohete, Kapingamarangi.

## FSM gets CIP administration

KOLONIA, Ponape—Two projects in Yap totalling \$3.3 million will be the first capital improvement projects to be administered by the FSM under a memorandum of understanding signed Dec. 14 with the Trust Territory government, according to Acting National Planner John Sohl.

The agreement to transfer administration of new CIP projects to the FSM was reached during negotiations Dec. 1-2 in Saipan between an FSM delegation headed by Vice President Bailey Olter which included Sohl, Budget Officer Del Pangelinan and Congress Chief Counsel Mike Berman.

Trust Territory Planning and Statistics Director Charles Jordan headed the negotiations for the High Commissioner with the assistance of Attorney General Kent Harvey, Budget Officer Rodney Adelman and Finance Director Eloy Inos, according to Sohl.

The Navy Officer in Charge of Construction in Guam would continue to supervise projects which are under-

way, he said.

"There could be as much as \$18 million in fiscal year 1983 and 1984 projects which have not been contracted," Sohl said.

The agreement provides for funding of CIP projects by the Trust Territory on a project-by-project basis with the High Commissioner having final approval on each project and the authority to review the use of funds for projects underway.

The FSM President will be the grantee with the Office of Planning and Statistics as the contracting officer for the grantee.

The FSM is required to employ project engineers who are a licensed to provide supervision and inspection of projects.

"The key thing is to make sure the people in the states are competent to supervise the jobs," Sohl said, adding that the Yap water and rural sanitation projects will be moving in January, because "they are staffed to go—Yap is probably the most capable state to handle CIF projects at the present time."

## DOI proposes \$40.4 million for FSM

KOLONIA, Ponape—The U.S. Interior Department budget proposal for fiscal year 1985 includes \$40.4 million in operations funding for the FSM state and national governments, according to FSM Budget Officer Del Pangelinan.

The proposal was submitted Sept. 15 to the Office of Management and Budget for review and inclusion in President Reagan's fiscal 1985 budget which will be sent to the U.S. Congress in January, according to a Nov. 21 letter from High Commissioner Janet McCoy to President Tosiwo Nakayama.

The fiscal 1985 budget "was prepared to provide continued funding for the Trust Territory....in the event that the Compact of Free Association is not in effect by Oct. 1, 1984," Mrs. McCoy said.

In addition to the operations funding, the 1985 Office of Territorial and International Affairs budget proposal includes \$3 million for operations and maintenance of capital improvement projects throughout the Trust Territory, down from \$7 million in 1984 and \$8.7 million in 1983, Pangelinan said.

The department also proposed \$1 million for 1985, the same as 1984, for operations, maintenance and space segment costs of the seven COMSAT satellite earth stations in the Trust Territory, including four in the FSM, he said.

The budget proposal excludes funding for the Truk cholera eradication program which received \$3.6 million since fiscal

1983, he noted.

In the area of capital relocation, the department is proposing \$13 million for construction of a new FSM capitol at Palikir, Ponape Island, Pangelinan said, noting that this will be in addition to the \$2,056,000 previously appropriated for architectural and engineering (A&E) work at the capital and College of Micronesia campus facilities.

The U.S. commitment is to provide \$15 million for the new FSM capitol, according to the OTIA which cited \$23 million requested by the FSM for the capitol and another \$6 million-\$7 million for the COM campus, he said.

The final estimate for the capitol and campus facilities costs will be determined upon completion of the A&E work, he said.

"The FSM government expects to seek congressional appropriations for the final estimate for the capital and the campus facilities in fulfillment of the U.S. commitment to relocate the FSM capitol to Ponape and the installment of higher learning institutions within Micronesia," Pangelinan said.

## Notary commissioned

KOLONIA, Ponape—Yar Mohammaed Khan, a native of Bangladesh who became secretary to FSM Supreme Court Chief Justice Edward King on Oct. 30 was commissioned Dec. 19 as an FSM notary public by President Tosiwo Nakayama

# CCM to start quarter with new dormitory full

KOLONIA, Ponape--The Community College of Micronesia will begin its 1984 Winter Quarter on Jan. 9 with its new dormitory construction 80 per cent complete and all available space in it occupied, according to CCM President Catalino Cantero.

Registration will be held Jan. 4 for full-time students and Jan. 6 for part-time students, according to Dean of Students Hers Tesei who said that classes will begin Jan. 9, and the term will end March 16.

The Fall Quarter ended with final examinations on Dec. 22 and 23.

Construction of the dormitory originally was scheduled for March, 1982, to replace the Men's Dormitory which was destroyed by fire on May 3, 1981. Delays in sand deliveries and financial problems of the contractor, Ponape Builders, caused construction to come to a standstill in 1982, officials said.

The FSM Congress, Ponape State Legislature, Trust Territory government and private donors provided \$212,566.24 for

the construction which began mid-1981.

The FSM Congress has provided an additional \$40,000 which has been used to continue the construction and furnishing of the dorm, according to Dr. Cantero who noted that the Ponape State Legislature recently authorized an additional \$10,000 for the project.

"We need about \$70,000 more to complete the construction," Cantero said, stating that the college will be requesting funds from the FSM state and national governments, the Marshall Islands and Palau.

Construction of the first phase, or ground floor could be completed by the 1984 Fall Quarter which begins in October, if the funds are provided, he said.

The dorm now houses 60 students, including 36 coeds and 24 male students, in 15 rooms, four to a room. The additional construction would provide 10 rooms for 40 students, and a second floor which is planned for the future would

house 100 more students, according to the CCM president.

The former Women's Dorm, constructed of the same wood and corrugated metal in the Men's Dorm which burned to the ground, is occupied by 48 male students, according to the Dean of Students.

Occupation of the new structure by female students began in July and by men in October, Cantero said, adding that it was changed from a men's dorm to coeducational "for security reasons."

The dorm is divided into two sections with an entrance for women on one end and for men on the far end.

In other changes on campus, the former recreations building is being used for offices and a classroom, and two quonset huts which housed male students during the construction of the new dorm are being used as for recreation and the student bookstore.

## Welle confirmed

MOEN, Truk--The Truk State Legislature confirmed the nomination by Gov. Erhart Aten of Olaf Welle to be an associate justice on the new Truk State Court, while rejecting two other nominations to the court, according to the State Public Affairs Office.

The Legislature, which began a 15-day special session on Dec. 12, did not act on the nominations of District Court Judge Sebastian Frank and Public Defender Wanis Simina to be associate justices on the new court on the advice of the legislative counsel that re-nomination of individuals who were rejected earlier is improper or in violation of existing statutes.

Welle, a native of Parem and traditional leader of Macheweichun which includes Parem, Fefan and Tsis islands in the Truk Lagoon, has been serving as an associate judge in the Truk District Court, since March, 1960. Before that, he served as elected magistrate and community court judge in Parem.

Welle attended Japanese school on Dublon Island and took advanced skills training in agriculture under the Japanese.



**NEW CCM DORMITORY**—The new Community College of Micronesia dormitory is 80 per cent completed and fully occupied by 60 coed and male students, according to CCM President Catalino Cantero who said that about \$70,000 is needed for the final 10 rooms of the first phase which would house 40 more students. The dorm replaces the men's dormitory which was burned to the ground on May 3, 1981.

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