



1 is a direct violation of Section 1-102 of Title 3 of the Pohnpei Code.

2 By the aforementioned conduct, Stevenson A. Joseph has  
3 undermined the integrity of his office, has brought disrepute on the  
4 Office of the Governor, has betrayed the people's trust as Governor  
5 and has acted in a manner subversive to the rule of law and by virtue,  
6 brought injury to the people of the State of Pohnpei.

7 Wherefore, Stevenson A. Joseph, by such conduct, warrants  
8 impeachment and trial and removal from office for unlawful  
9 behavior.

10 **Article II**

11 Stevenson A. Joseph, in his conduct while Governor of the State of  
12 Pohnpei, in violation of his oath of office and his constitutional duty to  
13 faithfully execute the provisions of the Constitution and all laws of  
14 Pohnpei, has willfully neglected his duty in that:

15 On October 22, 2024, the Pohnpei Legislature adopted  
16 Legislature Resolution No. 53-24, "Respectfully, but urgently,  
17 requesting that the Governor of the State of Pohnpei, in the interest of  
18 good governance, to take all necessary measures in authorizing and  
19 directing Ms. Sihna N. Lawrence to voluntarily step down from her  
20 duties as the Director of the Department of Treasury and  
21 Administration with pay during the period of the investigative  
22 hearings on matters affecting her office which is being conducted by  
23 the Standing Committee on Judiciary and Governmental Operations as  
24 mandated by the Eleventh Pohnpei Legislature". Despite the obvious  
25 need for the avoidance of potential conflicts in the proper

1 functioning of the Office of Director while the current Director is  
2 under legislative investigation, the Governor willfully neglected his  
3 constitutional duty and ignored the directive of this resolution and  
4 continues to allow Ms. Sihna N. Lawrence to actively remain in her  
5 seat as Director of DOTA, despite the ongoing investigation regarding  
6 her stewardship of the Department of Treasury and Administration,  
7 thus jeopardizing the smooth and unfettered functioning of this  
8 Department while the requisite oversight responsibilities of the  
9 Legislature are being carried out.

10 By the aforementioned conduct, Stevenson A. Joseph has  
11 undermined the integrity of his office, has brought disrepute on the  
12 Office of the Governor, has betrayed the people's trust as Governor  
13 and has acted in a manner subversive to the rule of law and by virtue,  
14 brought injury to the people of the State of Pohnpei.

15 Wherefore, Stevenson A. Joseph, by such conduct, warrants  
16 impeachment and trial and removal from office for unlawful behavior.

17 **Article III**

18 In his conduct while Governor of the State of Pohnpei, in violation of  
19 his constitutional duty to faithfully execute the provisions of the Constitution  
20 and all laws of Pohnpei, has willfully neglected his duty in that:

21 On March 07, 2024, the Pohnpei Legislature adopted Legislature  
22 Resolution No. 12-24 which respectfully, but urgently requested the  
23 Governor of Pohnpei State to work with the officials of the National  
24 Government and the FSM Trust Fund to obtain the withdrawal of five  
25 million dollars from the Pohnpei State account in the FSM Trust Fund

1 for the purpose of subsidizing the operational expenses of the Pohnpei  
2 Government for Fiscal Year 2024. The Governor willfully neglected  
3 his Constitutional duty to execute the provisions of Legislature  
4 Resolution No. 12-24 by allowing the Director of the Department of  
5 Treasury and Administration, who is directly under the Governor's  
6 supervision and control, to respond to Legislature Resolution No. 12-  
7 24 by implicitly informing the Legislature that she will not implement  
8 the purpose of Legislature Resolution No. 12-24 as specified in her  
9 letter to the Chairman of the Standing Committee on Finance dated  
10 October 11, 2024. The Governor failed to address this issue with due  
11 diligence since he should have recognized the fact that because the  
12 Director of the Department of Treasury and Administration is serving  
13 the National Government as an active board member of the FSM Trust  
14 Fund, she has a clear and present conflict of interest that should  
15 preclude her participation in carrying out State policy to obtain  
16 immediate financial assistance from the FSM Trust Fund for funding  
17 the necessary costs of the essential services of the Pohnpei State  
18 Government.

19 By the aforementioned conduct, Stevenson Joseph has  
20 undermined the integrity of his office, has brought disrepute on the  
21 Office of the Governor, has betrayed the people's trust as Governor  
22 and has acted in a manner subversive to the rule of law and by virtue,  
23 brought injury to the people of the State of Pohnpei.

24 Wherefore, Stevenson Joseph, by such conduct, warrants  
25 impeachment and trial and removal from office for neglect of duty.

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**Article IV**

Stevenson A. Joseph, in his conduct while Governor of the State of Pohnpei, in violation of his oath of office and his constitutional duty to faithfully execute the provisions of the Constitution and all laws of Pohnpei, has willfully neglected his duty in that:

Section 5-103 of Title 9 of the Pohnpei Code clearly states that:

Travel advancement. Notwithstanding any laws, regulations, directives, proclamations or instructions to the contrary, each Pohnpei officer or employee shall be permitted to receive a travel advancement of up to one hundred percent (100%) of the total entitlement as authorized on his travel authorization; PROVIDED that an employee or Pohnpei officer shall, after filing of all the required travel documents within ten working days after the completion of travel and upon determination by the Department of Treasury and Administration that an amount is owed to the government, promptly remit such payment within a time mutually agreed upon between the employee or officer and the Department of Treasury and Administration; PROVIDED FURTHER that failure by an employee or officer to file the necessary travel documents within the time prescribed herein shall establish a presumption that the employee or officer owes the government the total amount of travel advances accorded him and that he shall remit said amount in the manner

1           prescribed herein; PROVIDED FURTHER that, upon  
2           failure to pay within the time allowed, the Department of  
3           Treasury and Administration shall deduct the amount due  
4           or a reasonable fraction thereof from the employee's or  
5           officer's biweekly salary until the full amount is paid.

6           On November 27, 2023, while still serving as a Member of the  
7           Tenth Pohnpei Legislature, Stevenson A. Joseph willfully engaged in  
8           an unlawful behavior by receiving a check issued by the Pohnpei  
9           Government under the authority of Travel Authorization TA#T240072  
10          in the amount of \$2,298.00 for official travel to Manila, Philippines to  
11          attend the 2023 Asia Pacific Fiduciary Studies, which travel was never  
12          undertaken by Stevenson A. Joseph, with the explanation at the time  
13          that the trip was too close to the upcoming run-off election for the  
14          Office of Governor in which he was a candidate. However, the  
15          government issued check in the amount of \$2,298.00 was cashed, but  
16          the amount thereof was never returned to the Pohnpei Government  
17          Treasury by Stevenson A. Joseph prior to or during his term as  
18          Governor of this State, nor has the amount of the check been deducted  
19          from his current Governor's Office compensation, as required by 9 PC  
20          5-103, by order of the Department of Treasury and Administration  
21          which is under his direct supervision and control.

22          By the aforementioned conduct, Stevenson A. Joseph has  
23          undermined the integrity of his office, has brought disrepute on the  
24          Office of the Governor, has betrayed the people's trust as Governor  
25          and has acted in a manner subversive to the rule of law and by virtue,

1 brought injury to the people of the State of Pohnpei.

2 Wherefore, Stevenson A. Joseph, by such conduct, warrants  
3 impeachment and trial and removal from office for unlawful behavior.

4 **Article V**

5 Stevenson A. Joseph, in his conduct while Governor of the State of  
6 Pohnpei, in violation of his oath of office and his constitutional duty to  
7 faithfully execute the provisions of the Constitution and all laws of  
8 Pohnpei, has willfully neglected his duty in that:

9 On the 29<sup>th</sup> day of August, 2023, the Tenth Pohnpei Legislature  
10 performed its constitutional duty pursuant to Article VIII, Section 4 of  
11 the FSM Constitution in adopting Legislature Resolution No. 192-23  
12 which expressed this State's approval and endorsement of 2023  
13 Agreement between the Government of the United States of America  
14 and the Government of the Federated States of Micronesia to further  
15 amend the Compact of Free Association. The official position of the  
16 State of Pohnpei in approving the revised Compact, as definitively  
17 expressed in Legislature Resolution No. 192-23, is conditioned upon  
18 the establishment of a binding National and Four State Agreement on  
19 internal matters that are necessitated by both the wording of the FSM  
20 Constitution and the financial provisions of this foreign assistance  
21 treaty. It was cited in Pohnpei's resolution of approval that the  
22 requisite binding agreement between the governments of the FSM  
23 should provide for a specific, enforceable division of Compact grant  
24 assistance between the National and State Governments of the FSM.

25 Consistent with the mandate of Article XII, Section 1 of the

1 Constitution of the Federated States of Micronesia and cognizant of  
2 the official position of the State of Pohnpei as expressed in the above  
3 cited resolution, the leadership of the National Government and all  
4 four States of the Federated States of Micronesia met in the State of  
5 Yap on the 7<sup>th</sup> and 8<sup>th</sup> of September, 2023, and agreed upon a formula  
6 for the distribution of grant assistance under the newly amended  
7 Compact of Free Association. This distribution formula has accorded  
8 the State of Pohnpei 25.88% of the total composite of grant funds to  
9 be provided to the FSM by the U.S. Government each fiscal year.

10 However, in direct contravention of the formulas unanimously  
11 agreed upon in the Arngel Accords of the Second Chief Executive  
12 Council and Presiding Officers of the Congress and State Legislatures  
13 meeting in Yap State, the National Congress, singularly,  
14 inappropriately and unconstitutionally increased the National  
15 Government's share of Compact funds from 8% to 10%, deducting  
16 that inappropriate and unwarranted increase in foreign grants-in-aid  
17 from the four States' defined shares of the Compact assistance.

18 On the 13<sup>th</sup> day of October, 2023, the Tenth Pohnpei Legislature  
19 adopted Legislature Resolution No. 196-23 in which this Assembly  
20 urgently requested the Governor of the State of Pohnpei to enter into  
21 dialogs with the Governors of the other three State Governments in  
22 order to mount a collective effort to dissuade the President and  
23 relevant national officials from undertaking any attempt to unilaterally  
24 impose the FSM Congress proposed increase in funding for the  
25 National Government to be enforced through forced reductions in the



1 budgetary property rights of the four State Governments. However,  
2 there is no evidence that Stevenson A. Joseph, upon taking the Oath of  
3 Office of the Governor of this State, ever undertook any meaningful  
4 attempt to work with the leaders of the other FSM States to protect  
5 Pohnpei State's agreed upon share of the revised Compact assistance  
6 from what this Legislature considers to be an unlawful taking thereof  
7 by the National Government.

8 Moreover, the Comprehensive Budget Act for Fiscal Year 2024  
9 was specifically amended to extend an appropriation of \$100,000 for  
10 the Office of Attorney General to include legal expenses necessary to  
11 protect the integrity of this State's constitutional rights to its rightful  
12 share of yearly Compact of Free Association assistance. However,  
13 even though the State of Pohnpei would be losing control over a  
14 significant portion of its rightful share of direct Compact assistance,  
15 the Governor of the State of Pohnpei impounded this particular  
16 appropriation to address a constitutional emergency of a draught that  
17 had descended upon the State of Pohnpei. The Pohnpei Legislature  
18 concurs that at the time of the emergency decree, drought relief was a  
19 priority for our State residents, but the State Treasury has many other  
20 assets that could have been tapped rather than converting this legal  
21 defense fund to that cause.

22 The failure of the Pohnpei Administration to take responsive and  
23 affirmative action to enforce the recognition of the Arngel Accords,  
24 which is being disregarded by the National Government through its  
25 lack of respect or adherence to the mandatory provisions of our

1 National Constitution, has contributed to the resultant loss of over  
2 seven hundred thousand dollars of Compact program grant assistance  
3 per year which is so vital to our State and to our people in providing  
4 for a fully funded education program for our children and in ensuring  
5 that a truly adequate and reliable health care system can be maintained  
6 for our citizens. Moreover, the dismal failure of the Chief Executive  
7 of Pohnpei State to speak out forcefully against the National  
8 Government's inexplicable takeover of the State's infrastructure  
9 program and the even more incomprehensible takeover of the State's  
10 program for the repair and maintenance of our State's own public  
11 facilities and infrastructure has woefully contributed to the loss to the  
12 State and to the people of Pohnpei of its direct allocation,  
13 appropriation and lawful control of over \$7,000,000 per year in  
14 Pohnpei's entitlement to direct Compact Three infrastructure grant  
15 assistance.


16 By the aforementioned conduct, Stevenson A. Joseph has  
17 undermined the integrity of his office, has brought disrepute on the  
18 Office of the Governor, has betrayed the people's trust as Governor,  
19 has brought dishonor to the very core principles of our National  
20 Constitution upon which our beloved country was founded, and has  
21 acted in a manner subversive to the rule of law and by virtue, brought  
22 injury to the people of the State of Pohnpei.

23 Wherefore, Stevenson A. Joseph, by such conduct, warrants  
24 impeachment and trial and removal from office for unlawful behavior;  
25 and

1           **BE IT FURTHER RESOLVED**, by the Eleventh Pohnpei  
2   Legislature, Second Regular Session, 2024, that certified copies of this  
3   resolution be transmitted forthwith to the Chief Justice of the Pohnpei  
4   Supreme Court and to the Governor of the State of Pohnpei.

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Date: 11-01-24

Introduced by:   
Nelbert A. Perez