



This document is a collection of articles, Facebook postings, Letters to Yap State Government officials, and graphic images, intended to illustrate my questions to the **Yap State Office of Public Auditor:**

- What is the status of OPA case number **YCID 12-012**? Did the investigation of the bribery of Rumung Chief Louis Lukan “disappear” in the AG offices?
- Did the multi-million-dollar-bribe, openly and brazenly offered by ETG to both the People and to the Government of Yap State, ever get investigated?
- Which payroll is the Yap State Attorney General on? Observing what is credited to his name (**Jeremiah B. Luther**), one simply uas to wonder...

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2012-05-21: Yap Executive Branch holds Public Forum on ETG

Source: [Kaselelie Press](#)

Luther assured the people that his job as acting AG is to ensure that the best possible agreement between the state and ETG is formulated, one that “will protect the interests of the individual citizens of Yap, protect the environment of Yap, and protect the laws and traditions of Yap.”

Fact: The so called “Cooperative Investment Agreement” (which incidentally says **nothing at all** about “investments”!) **is only protecting the interests of ETG**, the People of Yap State is virtually *without any protection whatsoever*.

In **no way** does the agreement “*Protect the Environment of Yap,*” and in **no way** does it protect “*laws and traditions on Yap.*” In fact, the contrary appears to be true, as there are **several clauses** indicating that “the State” has agreed to change **Yap State laws**, should those laws prove obstructive to ETG in their enterprise!

One Yapese lady asked what the government and ETG plan to do should the situation arise where one landowner agrees to lease his land for a hotel build up, and that particular parcel of land happens to border land owned by other Yapese individuals who do not want to lease to ETG. **Luther** could not give a complete answer to this question but he did say that **ETG was willing to accommodate those who are willing to lease their land and would need to relocate**.

Fact: ETG, in their so called “Land Lease Agreement Template,” **makes no such reassurances**. On the contrary, it clearly states that **the land owner, should relocation of people be necessary, is completely responsible for such relocations!**

According to Luther’s statement at the public discussion forum, the AG’s office is currently working on the specific sections of an Investment Agreement including resolving some issues in the Agreement. **Once the Agreement has been finalized, a copy will be transmitted to the Legislature for review and comments.**

Fact: Another untruth from Mr. Luther: **The YSL never received any “finalized copy” for “review and comments”** before the “Cooperative Investment Agreement” (which says **nothing** about any investments...) was signed by Mr. Anefal and ETG (Mr. Deng Hong), on 2012-08-11.

2012-05-22: Yap State Government News Brief

Source: <http://yapstategov.org/News/05-2012/05-22-12.htm>

“On May 21, 2011¹ <sic!> from 2:30-4:30 pm, the Government of the State of Yap held its first open forum with the people to discuss the proposed development project in Yap by an Investment Company known as Exhibition and Travel Group (ETG) which is based in Chengdu city, Peoples Republic of China.”

Fact: As both ETG and “the State” has *repeatedly* stated, **there is no proposal “on the table,”** and ETG has yet to submit a “Master Plan” to “the State” (or, for that matter, to the People of Yap State) for approval. So, the fact is that **nobody except ETG knows anything about what they are actually planning for Yap State!**

Fact: **ETG is not an “investment company,”** but a **real-estate development ditto.**

Mr. **Luther** said the Framework does not mean that ETG will get whatever it want from the Governor nor it does not mean that the Governor, Legislature or Court of Yap are forced to support ETG’s proposed project.

Fact: That may well be true about the “Framework,” but it can be strongly argued that **the so called “Cooperative Investment Agreement” (negotiated by ETG lawyers (for ETG) and Mr. Luther (for “the State”)) definitely means exactly that!**

“Mr. **Luther**, who led the discussions, told the crowd that the Government has signed several documents with ETG. *‘On April 21st of last year the Governor signed the strategic framework of Cooperation between the government of the State of Yap and ETG. The framework is a document pledging cooperation between the State of Yap and ETG. The Government agreed to attempt to help ETG make its project in the State. ETG promised that its project would not harm the economy, traditions, health or environment of the State of Yap or its people.’*”

Fact: “*ETG promised*”... What does that mean? Is Mr. **Luther** talking about the same project? To build **thousands of hotel rooms** in the State of Yap **can only harm Yap’s environment.** The permanent daily presence of **several thousand Chinese hotel employees and tourists** poses a great risk for complete and irreversible destruction of Yapese culture, customs, and traditions.

¹ This is a “misstated” date: **The year was 2012.** The briefs from the Anefal government often contains “errors” that make the contents of the brief look better, and/or forward the “ETG agenda”... Is this not “Wrongdoing,” what is?

“Before a final version of the Investment Agreement is to be put before the Legislature, the Governor staff must be consulted regarding the specifics prior to the review and approval by the Governor. Once the document is finalized, a copy would be sent to the Legislature for their review and comments.”

Fact: As stated above, The YSL never received any “finalized copy” for “review and comments”: They were simply **ignored** (snubbed!) by “the State”!

“**Web Administrator’s Note:** Adding to the news brief, followings <sic!> are also heard from Mr. **Jeremiah Luther**, **Acting Attorney General**, during the meeting:

1) It is highly recommended to consult with a lawyer who helps on your side before entering any agreement with ETG, because there are **top class lawyers working for ETG on their side.** 2) **If anyone witnesses or experiences of bribery, please contact Mr. Jeremiah Luther directly.** This thing needs to be investigated. 3) He agreed to plan similar meetings in the village communities.”

Fact: At the opening of the meeting, the AG was reported saying “**Questions about bribery will not be answered.**” Also, any such “*similar meetings in the village communities*” may have been “agreed to,” but **has never been done.** So far (2013-03-20)

OPA 2012 Annual Report:

Case number **YCID 12-012** was about an reported attempt to bribe **Rumung Chief Louis Lukan**, by ETG’s Yap representative (on Mr. **Deng Hong**’s behalf) Mr. **Gang Yang**, with the amount of US\$3,000 (envelope filled with 30 \$100 bills):

| Case Number | Allegation | Summary of Finding | Status/Disposition |
|-------------|--|---|----------------------------|
| YCID 12-012 | Possible violation of bribery and Foreign Investment Agreement | Findings confirmed cash handouts | Case referred to AG |

Question: **What is the status of this case? Six months later, has the acting AG submitted some kind of report yet?** (2013-03-22)

2013-03-12: WSJ Article “Chinese Culture Clash on Yap”

by Alex Frangos, Source: blogs.wsj.com/chinarealtime

*It’s been a learning experience for both camps,” says **Jeremiah Luther**, a 32-year-old Tennessee attorney hired by Yap as its acting attorney general and **representative in the negotiations with ETG.***

Fact: **Mr. Luther** was representing “**the State**” (as defined in the “Cooperative Investment Agreement”: Mr. Anefal and his administration), **not the Government of the State of Yap.** Big difference!

*“In [the Chinese city of] Chengdu, you can smooth things over,” says **Mr. Luther**, who describes himself as **impartial** on ETG’s proposed project.*

Fact: A lawyer, hired by Yap State as **acting Attorney General for the State**, representing Yap State in negotiations with ETG lawyers, “**negotiations**” that resulted in **one of the most lopsided “agreements” ever**—all in ETG’s favor—**describes himself as “impartial on ETG’s proposed project”**... How can he be impartial, as responsible for the abysmal results of these “negotiations”? Can this really be said to be what is best for the People of Yap State?

Louis Lukan, a member of Yap’s Council of Pilung, a fourth branch of government made up of tribal officials, says ETG tried to bribe him. According to Mr. Lukan, ETG’s Mr. Yang approached him while he was eating lunch in his office one day, saying “*I have small gift, a little present from [ETG] Chairman Deng Hong.*” It was a pack of \$100 bills—\$3,000 in all.

“I’ve only heard of people doing bribery,” Mr. Lukan says, stuffing a betel nut into his cheek. *“I’ve only see it in the movies.”* Mr. Lukan, who is undecided on the project, says he reported the money to his villagers, who live on a nearby island where people have chosen to go without electricity and running water. [...]

The **attorney general, Mr. Luther**, and a representative of Yap’s public-auditor office, which handle legal inquiries, **both declined to say whether the incident is under investigation.**

Fact: **Case number YCID 12-012 has been reported**, confirmed, and submitted to the AG office for “for review and coordination with CID”... What could the possible reason be, for **declining comment** whether the “incident”—*a serious Yap State Code violation is called “an incident”*?—is under investigation? **Does the People of Yap State have no right to know?**

Facebook Postings on Bribery &/or Wrongdoing (Most Recent First)

Please note: The **post dates** are hyperlinks to the actual Facebook posting!

[Henry K.O. Norman](#) uploaded a file. Another well written article by Mr. **Alex Frangos** (Wall Street Journal). And now **it is confirmed: there has been bribing attempts by ETG!** [March 12 at 9:11pm](#)

Download/preview: [Chinese Culture Clash on Yap \(Alex Frangos \(WSJ\)\) .pdf](#)

[Martina Gisog](#) Confirmed it has, I wonder what **Acting AG, Machieng** is now going to do about it, if I were Machieng, I would **boot out Mr. Luther first then take ETG to court** and out of Yap State but revoking their business license and FIP. [March 13 at 8:18am](#)

[Martina Gisog](#) uploaded a file. And something that is extraordinary... [February 12 at 12:08pm](#)

Alpagal ni tayid - Pressure.pdf [\(Document Attached Below\)](#)

[Martina Gisog](#) A letter from this guy claiming to be writing 'on behalf of Gachpar Village', is this some tactic the Pilung is using to get people's land? [February 12 at 12:24pm](#)

[Diamond H Kenrad](#) The date is Sept last year. The survey should be done by now. Could it be that people then were going for it? [February 12 at 12:48pm](#)

[Martina Gisog](#) Yes, but the application was not turned in until 12/19/12. Announcement took off shortly after. Survey NOT yet done. [February 12 at 12:53pm](#)

[Diamond H Kenrad](#) I thought the Announcement usually takes 45 days. If no objection then the survey will proceed. [February 12 at 12:57pm](#)

[Martina Gisog](#) You are right - this one will end 2/19/13.

[Martina Gisog](#) uploaded a file. Another document regarding Alpagal:

LFigir.pdf [\(Document Attached Below\)](#) [February 13 at 5:56am](#)

[Veronica Pinnifen Libian](#) OMFG!!! I'm getting chills reading this stuff... I can't believe this is the kind of dishonesty that is going on... I mean, I hear... but its so different seeing it on paper... **Haven't we all had enough with this ETG bullshit??** [February 13 at 6:32am](#)

[Veronica Pinnifen Libian](#) **This is clearly fraud... will someone please step up and hold people accountable in court for this fraudulent activities... like seriously??!!!** its one way to get money... if people are in dire need of money... and it is a legitimate way to do so.... [February 13 at 6:55am](#)

[Martina Gisog](#) The only one I have on hand that I have not share is my own dispute letter to Land Resource to put a stop to the survey. I have filed that, and am not trying to score points here. I do want as many Yapese to be Alert of swindlers. You are asking

me if the two are capable? I would say YES, they signed and have not step up to say otherwise. **If I understood correctly, COP have called on Chief of Land Resource number of times to talk about land survey. This is how 'Amen Maap' was surveyed, difference was land owners were listed, but not specified to which parcel.** Only Tim Moon is asking for his to be parcel split. [February 13 at 8:37am](#)

[Paul Thigith](#) hopefully, your next letter would be addressed to the chief of police. **someone should be behind bars for falsifying public documents. leo was not the only victim of the fraud. regardless whether the robbery was successful or not, criminals belong in jail.** [February 13 at 9:25am](#)

[Martina Gisog](#) **Copy of my letter has been sent to acting AG, boss of the Chief of Police,** we see what/how he is going to deal with it. [February 13 at 10:00am](#)

[Veronica Pinnifen Libian](#) so now that L Figir's letter has surfaced stating he was manipulated in signing the application, is the suveying of land in "Alpagal ni Tayid" voided?? **Any word from AG or OPA??** [February 16 at 9:09am](#)

[Henry K.O. Norman](#) And so it has begun... I laud you, Mr. Leo Figir, for standing up and speaking out! Waloy can be proud of you! A rather interesting question: What will happen next? The other Village Representatives names on that application (Noel Rigoogag (Makiy) and Petrus Beyan (Gachpar)), were they manipulated too? By whom? **Will any action be taken at all? Mr. Acting AG, Jeremiah Luther, do you have an opinion?** [February 16 at 10:04am](#)

[Jesse Maluwetig](#) Henry, is this the same lawyer that said previously that he could not answer our questions before because he was too involve, but **suggested that we find our own lawyers to answer our questions?** Our own lawyers? [February 17 at 2:13am](#)

[Paul Thigith](#) while searching for lawyers, **the public should find an attorney general too. paying taxes for this one's salary for not enforcing public law may be too charitable. public land owners are being swindled by organized crime.** on the question of who may be manipulating who with this deceitful land survey, we should'nt rule out the possibility that the gachpar/c.o.p canoe was navigated by none other than chief rigoogag. [February 17 at 6:53am](#)

[Jesse Maluwetig](#) No, not now but about a year or so ago when this idea of leasing first came up and someone suggested getting good lawyers to advice us, and you mentioned getting the very best lawyers, and not those freshly out of law schools. At this pt. someone stated that **the acting state attorney had said that he was not going to help us since he was too caught up with ETG and all the going on at that time. I think those posts were deleted.** Am recalling from an old memory. [February 17 at 8:40am](#)

[Paul Thigith](#) your memory serves you well, Jesse Maluwetig. **we may need good lawyers to protect our lands from ETG, COP, and possibly this AG, if he so chooses to support the land swindlers. how can we afford a good lawyer? we can barely afford this dysfunctional one.** [February 17 at 10:10am](#)

Martina Gisog State of Yap is paying this Luther guy yet he can't do anything for Yap State and her people because he is too deeply involved with this ETG deal for the benefit and enjoyment of ETG and its OPPs. Something is wrong with this picture. February 20 at 8:41am **Diamond H Kenrad** So why hold the position if you can't help Yap in its need? February 20 at 10:35am

Henry K.O. Norman The picture looks even more distorted (wrong) when examining the so called "cooperative agreement" in detail... Who are the people responsible for negotiating this? Is that another secret of "the State"? The "agreement" totally favors ETG and their OPPs, and makes it VERY difficult to contest in court... What's up with this, Mr. Luther? Isn't it about time to be "acting" as the AG for ALL of Yap State, not only for "the State"? February 20 at 12:45pm

Martina Gisog Talk about bribes, what is the latest on the envelope that Rumung had supposedly returned, any case on that? Did it ever make it to the AG's office, or dead end at COP? January 24 at 8:26am

Clement Yow Mulalap Kam'magar, Bernie. If I may, I would like to offer a slight correction. The Yap State Code (in Title 11, Section 502) defines the crime of bribery in this way:

"Every person who shall voluntarily offer or receive any benefit as consideration to influence an official act to be done or not done, shall be guilty of bribery, and upon conviction thereof shall be imprisoned for a period of not more than three years, and fined three times the value of the benefit offered or received, or both. If the value of the benefit cannot be determined in dollars, the fine shall be not more than \$5,000.00."

As you can tell, any person (i.e., "[e]very person") can be bribed, not just a government official. As long as that person receives some sort of benefit in return for the person's efforts to influence some sort of official act to be done or not done, that person is guilty of bribery. The "benefit" need not be money; it can be a valuable item, or a concession in a contract, or an all-expenses paid trip out of Yap, anything that "benefit[s]" the recipient. (Of course, the person who gives the benefit to that person is also guilty of bribery.) For example, if an ETG representative gives a certain amount of money to a Yapese community elder in return for the elder's efforts to influence his elected officials to approve a certain ETG-related legislative/executive measure and/or officially embrace ETG's Master Plan/proposed Project, then the elder and the person paying the elder are guilty of bribery, in my opinion.

I have discussed this matter before in this group. See here:

<http://www.facebook.com/groups/404462399564440/permalink>

So, if anyone is aware of someone in Yap—not just a government official, but any person in Yap—who either gives a benefit to someone or receives a benefit from someone in what seems to be an exchange for efforts to influence an official act to be done or not done, then please report the person(s) to the proper authorities.

I believe that [Kattinow](#) has encouraged people to refer such matters to the Office of the Public Auditor and/or the Attorney General's Office, so please do so.

Kam'magar, ma siro. January 25 at 6:06pm

[John Mangefel](#) There's an argument that we should not jump to conclusions about ETG, because there is nothing concrete in plan yet. That we should be patient and seek to understand this matter more. **That is exactly my problem with this whole Fiasco!!! its been what, 3 years or so, and ETG has no idea yet what they want to do?? what kind of a business is this?? And to lease land first and know of the "plan" later? IT IS PRECISELY THIS LACK OF KNOWLEDGE THAT HAS PROMPTED THE PEOPLE OF ATLIW TO REFUSE TO HAVE ANYTHING TO DO WITH THIS PROJECT.** I may be crazy, but I am not stupid to lease my land first and find out later what ETG plans to do on my land, I doubt very much any Yapese in his/her right mind would agree to such a proposition. [January 9 at 5:28am](#)

[Jesse Maluwetig](#) You are making sense here [John Mangefel](#), especially after you and others have signed the leases, and after the ink has dried, that you found out (as you pointed out) that not only there was no master plan, but that you no longer have any saying over the development of your FORMER land for the next 99 years! But by then, you will be sitting inside the Pearly gate having a cold one with St. Peter, assuming that's your final destination, provided that you had not done a number on the guy holding the signed lease. The other side will still continue to insist that no one can make a master plan without knowing how much land they can lease. But the thing is, if they show us their master plan, how much land they would need, then we all can sit down and negotiate what we can do. It won't be easy, but at least the plan is out in front where everyone can see. [January 9 at 6:45am](#)

[Clement Yow Mulalap](#) Siro. Kam'magar, [John](#), for this concise summation of the information gap involved in this situation.

As I have discussed in this group, **ETG's signing of, and payments of rents for, land lease agreements with private Yapese landowners are, in my opinion, integral parts of ETG's development of its proposed Project in Yap, and as such, those acts by ETG violate Section 3.1 of the signed Agreement between ETG and the State of Yap unless and until the State reviews and approves ETG's Master Plan.** Assuming that this legal interpretation of the signed Investment Agreement is accurate, **it is the obligation of the State of Yap (as currently represented by the Anefal Administration, and as one of two parties to the signed Investment Agreement) to inform ETG that ETG must refrain from signing land lease agreements with private Yapese landowners until the State approves ETG's Master Plan.** As far as I know, the Anefal Administration has not thusly informed ETG, and so private **Yapese landowners who are interested in leasing land to ETG are now faced with the dilemma that John describes above, as well as with the possibility of costly litigation in the future if the State decides not to approve ETG's Master Plan.**

Did the Anefal Administration intend (while negotiating the signed Investment Agreement) to allow ETG to enter into land lease agreements with private Yapese landowners and start paying rents for those leases before ETG even presents its Master Plan to the State for review? Is the Anefal Administration fine with subjecting private Yapese lessors to the possibility that the rent payments that they receive from ETG will suddenly evaporate if the State rejects ETG's Master Plan? What if the private Yapese lessors have already made plans for what to do with the lease payments they receive from ETG? What if those lessors (and especially their families) have already substantially changed their lifestyles and circumstances in reliance on those lease payments? Furthermore, as John indicates in his post, **is the Anefal Administration fine with allowing private Yapese landowners to lease their land to ETG before those landowners know what ETG intends to do on the land, especially if ETG's plans for the use of land involve activities that those landowners may not be comfortable with having on their land?** As much as I may harp on ETG to exercise corporate responsibility when pursuing land leases with private Yapese landowners, I do believe that **the Anefal Administration bears the lion's share of responsibility in this situation, because the Anefal Administration (as one of two parties to the signed Investment Agreement) is the Yapese people's primary guardian and champion in the State's dealings with ETG.**

If the Anefal Administration truly contemplated and accounted for the abovementioned issues during its negotiations with ETG, then it is unlikely that the Anefal Administration will challenge ETG's current pursuit of land leases, and so it is up to private Yapese landowners to demand ETG's Master Plan before they sign land leases to ETG. **It would be nice to get a public comment from the Anefal Administration regarding this dilemma.** Siro. [January 9 at 7:54am](#)

Henry K.O. Norman I posted this earlier, but in a response to another YSY post. Just so you do not miss it, here's a repost: More "rumblings and grumbings" here... Much thanks to Mr. **Julian Assange** (Wikileaks), we can read the following on the net:

"The rising role of China in the FSM is apparent. **China has blanketed the FSM at every level with all-expense paid trips that include daily emoluments.** National leaders clearly enjoy lavish multiple-city tours. Municipal leaders, clan chieftans *<sic!>*, students, and local police have in many cases accepted repeated trips. A traditional leader of Netts *<sic!>* municipality in Pohnpei, where the new U.S. Embassy is located, told the Ambassador during a farewell call that **he and his wife each received \$1,500 when they arrived in Beijing, with supplemental cash for shopping every day.** At a certain point, he said the Chinese hosts asked to separate the men from their wives."

(Cable to U.S. State Department, Washington, DC (sent by **Miriam K. Hughes**, at the time U.S. Ambassador to FSM, Kolonia))

Source: www.cablegatesearch.net/cable.php?id=09kolonia123

“Supplemental cash,” indeed! (F.Y.I: A clause in the U.S. constitution prevents sitting U.S. legislators from receiving emoluments.) Are personal monetary handouts considered to be appropriate “gifts” from foreign powers to elected FSM/Yap officials nowadays? What about specific scholarships? In Washington — as in most democratically ruled nations — such “gifts” are properly called BRIBES, and the last time I read the FSM/Yap constitutions, bribery was still an offense that could lead to the offender’s impeachment...

One has to wonder, especially after **the COP’s unconstitutional and disrespectful snubbing of the Constitutional Powers vested in the Yap State Legislative Branch recently: what other forms of monetary manna has ETG been spreading around, how thickly, and into primarily whose hands? The COP’s “warm welcome” of the upcoming ETG/PRC delegation looks very much like an obsequious brown-nosing attempt to keep the coveted Chinese cash coming... Can the Pilung really be serious, contending that the demand — from more than 1,500 Yapese (over 16% of the state population!) — for INFORMATION about what’s going on, is to be condescendingly dismissed, as “rumblings” and “grumblings”???**

“Mutually beneficial...” And just who exactly ARE the Yapese beneficiaries? **If the COP and their Governor can see things so clearly, envisioning all those future “benefits” for the State of Yap and its People, they must be privy to information that is yet to be made public...** From what I have heard and seen, if any “faith” needs to be restored, it is the Yapese People’s faith in their leadership!

For an outsider like myself, with “only” 7+ years of Yap experience: Hard to believe. Consider this private view, held by a high and mighty “democratically elected” official, of his Yap State voter base:

“... you are beginning to sound like every other idiotic Yapese on the street, who is negatively over-reactive, ignorant, anti-development, and making certain damaging and baseless conclusions mirrored from rumors, hearsays and one-sided media publicity...”

One-sided indeed! And who's fault is that? This should all be seen in relation to the **beautifully crafted inauguration address delivered by the re-elected Governor in January 2011:**

“The honor and responsibility given to us as elected officials by the Yapese people must continue to motivate us to do our very best to ensure that we continue to lay the foundation for future generations and the next set of elected leaders of our great island state — a future that we can all look forward to. [...] “My friends and fellow citizens of Yap, in moving forward, let us be reminded that we have rough seas ahead of us. With that in mind, we must carefully consider the best approach towards a successful reform. **For the Executive Branch, we believe that success must begin with ‘good governance’, a government system that is fair, accountable, efficient, transparent and well planned as I mentioned in my first inaugural address four <sic!> ago.** To achieve this goal, we must establish appropriate criteria and measurements of our overall performance. While achieving good governance will be difficult, I believe that it is our government’s only course for success. [...] “I’m going to be asking a lot of you. I want you to think outside the proverbial box. **I want you to give me the best advice you can. I want you to understand there is nothing that I welcome more than a good constructive debate and the kind of dialogue that will make us better.”**

Source: www.yapstategov.org/downloads/2011Address.pdf

“Good governance”: Fair, Accountable, Efficient, Transparent and Well Planned! That is indeed the ONLY course for success! So, what happened to the “good constructive debate” and “dialogue”? And the Governor’s address continues:

“As I have indicated in the past, in our efforts to grow and prosper, there will be temptations from the most unlikely sources, many that will not be in our best interests and many that may be self-serving. We must, as leaders, and as a people, have the strength to turn down immediate offers of wealth at the expense of future generations and look for a more balanced approach — one that recognizes the strength of unity and forbearance.”

Source: www.yapstategov.org/downloads/2011Address.pdf

Temptations, indeed! NOT in the best interests of Yap. Self-serving! **So, WHEN is the current and oh! so tempting “immediate offer of wealth” (for a selected few (from a highly unlikely source: the PRC)) at the expense of future Yapese generations going to be turned down?** With only two+ years left of the term, isn't it high time to start living up to the lofty promises so eloquently given the Yapese People? To recognize the strength of unity and forbearance? **Or do the promises given not apply to these “ignorant idiots,” whoever they might be???**

It appears as if “someone” wants to get the “Yap Paradise Island” project started A.S.A.P., to get it going, so Yap can no longer back out. **Never mind that a proper feasibility study would take at least a few months to conclude. Never mind that such**

a study, if done unbiased, would surely conclude “No Way! Can’t Be Done!” So strong is greed, one of the seven deadly sins, that NOTHING except lining one’s own pockets matter! “Decency? Constitution? Shame? Integrity? Laws? WTF do I care? I’ll come out ahead! All Yapese on the street are ignorant idiots anyway!”

It will be interesting also to see what kind of “accounting” that will be done after a few years, when all is in shambles... “Who is/are responsible for this mess?”

What the People of Yap thinks is considered nothing but “idiotic and anti-development rumblings and grumblings.” **The Yap State Constitution clearly states that the COP “shall perform functions which concern tradition and custom”... This doesn’t stop the COP from being involved with foreign powers, accepting “gifts” in the form of luxurios China-trips (with ample shopping cash), and signing documents that may eventually lead to the DESTRUCTION of the very traditions and customs they are supposed to protect...** The whole sordid mess stinks to high heaven: Yap State Constitution? Colon-ia? How fitting!

It is becoming clear—to my mind—that the ETG project WILL go ahead, no matter what. I guess Yap State has already been paid... **“Dedicate ourselves to govern our State, now and forever, for the general welfare of all generations to come”** (Yap State Constitution). Nice words!

May your Gods protect you all... [April 22, 2012 at 8:34pm](#)

Kawie Kugumdaa “If ETG is permitted to open casinos on Yap. ETG will contribute significant amount of revenues and make every single person of Yap benefit. partly into healthcare. education. pension. cultural heritage conservation. public sports and entertainment. party in cash distributed to each family.”

... **bribery** people?? How much money? Everyone gets money or only those that gives up their lands? Is this the only way that they think the casino can get built?? That they put all the stipulations on it?? A cousin of mine mentioned that she didn’t see the difference between money being spent on beer instead of food and money spent at the casino instead of food. Which frankly I laughed at first b/c she does have a point. However, we already have 1 issue as of now with money being spent on alcohol instead of food... so why add another issue to the problem? Why not get rid of problem one before we add on another one?

The casino is a definite NO and NO and NO to me. The casinos that I have been to... in order for them to bring in customers, they offer FREE alcohol for anyone playing. Granted, I don’t know how they’re going to set it up but if it’s ‘common knowledge’ that alcohol is an issue in Yap, then I have no doubt that they’ll use that to their advantage. It kinds of reminds me of other places that I have been to... in a ‘better off’ neighborhood, you have to drive around to find a liquor store. Go to the poorer areas, and you can find a liquor store in every corner.

The writing on the wall may be nice and pretty, but China is only looking out for China which is all good and fine... so Yap needs to look out for Yap and its people. [April 18, 2012 at 5:29pm](#)

Letter from Mr. Andrew Yinnifel to the Office of Land Resources

Dated September 10, 2012, on behalf of Gachpar Village requesting survey of the "Alpagal ni Tayid" in Makiy Village:

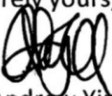
JW.
11/20/12

DATE: September 10, 2012

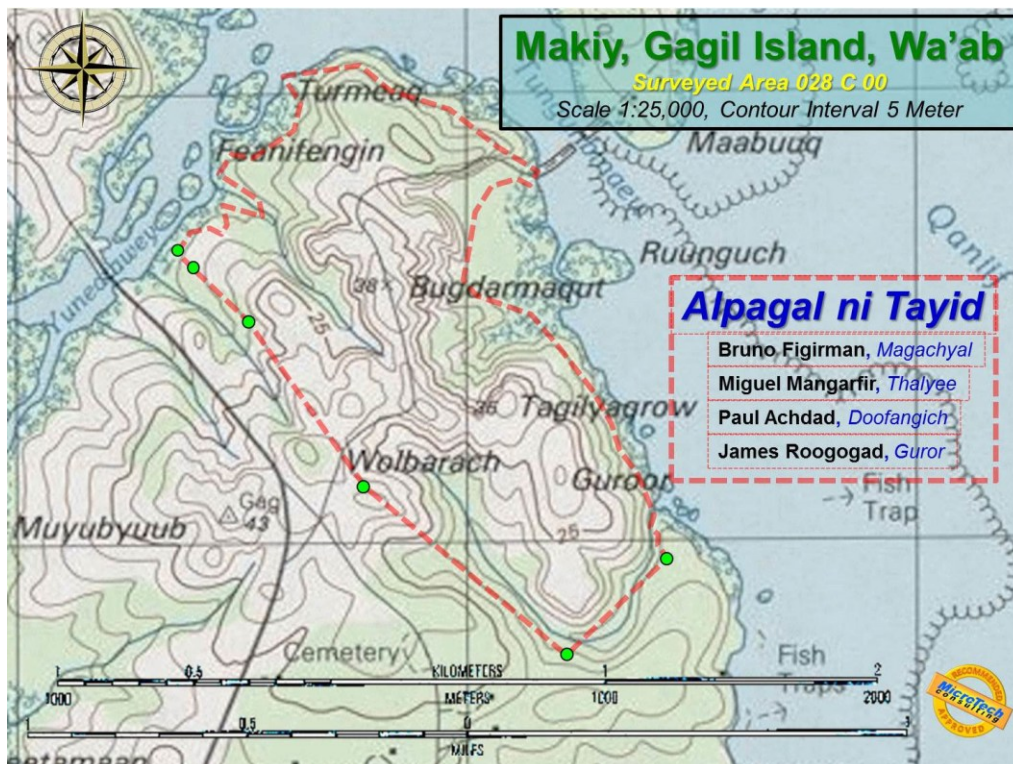
Mr. John Waayan
Chief, Division of Land Resources
Department of Resources & Development
Yap State Government
Colonia Yap, FM 96943

Dear Mr. Waayan:

This letter it to inform you that I have authorized the surveying of the land parcel(s) only in the "Alpagal ni Tayid " in Makiy Village. Please have your staff work with the people of Makiy Village to have the area as mentioned above to be surveyed as soon as possible. Thank you very much for your attention regarding this important matter, and please do contact me if more clarification is needed.

Sincerely yours,

Mr. Andrew Yinnifel
On behalf of Gachpar Village

The area requested to be surveyed:

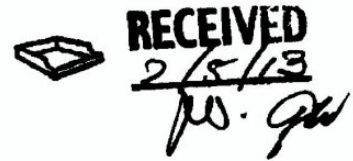


Letter from Chief Leo Figir to the Office of Land Resources

Dated February 1, 2013, declaring the survey request of the "Alpagel ni Tayid" in Makiy Village as fraudulent:

February 1, 2013

John Waayan, Chief, Land Resources
Department of Resources and Development
Colonia, Yap 96943



and

Laurence Riyuw, Field Recorder
Land Resources
Department of Resources and Development
Colonia, Yap 96943

Re: Land survey of ALPAGEL NI TAYID in Makiy, Gagil, Radio announcement #67

Dear Sirs:

This is to inform your offices that my signature on the application for land survey and registration of the ALPAGEL NI TAYID area in Makiy Village referred to in the radio announcement #67 is null and void. I was lied to about the signing that it was to help current work to determine the boundary of my village, Waloy, Maap. I was presented only with the signature page. I was not shown the rest of the documents which I now understand to be an application to survey and register the subject land area in Makiy. My signature on this application is void and without authority from the appropriate people in my village and especially those who own land in and around the subject ALPAGEL NI TAYID.

I was not requested by the people of Waloy Village to represent them in connection with this application to survey the subject land area in Makiy. I did not intend to represent them in the application for the survey either. I was tricked into signing the signature sheet. I believe that since my signature was secured through fraud, and that I was not asked by the people to sign on their behalf for this survey, this application is not valid and the proposed survey must stop immediately.

Thank you.


Leo Figir
From Waloy Maap
Yap State

Xc: Director, R&D
Jeremiah Luther, Acting AG
Governor
Martina Gisog
People of Waloy Village

Possible ETG Yap State Code Violations: Their FIP Still Good?

With the reservation that my source (www.fsmlaw.org/yap/code/title22) may be out-of-date, these are a few observations regarding the ETG and their Foreign Investment Permit:

YSC Title 22, §305 (a) (4): Any activity which is injurious to the health and welfare of the citizens of Yap State is prohibited within the State of Yap.

I would argue that the FIP should be cancelled, since ETG proposes to conduct **prohibited activities** (causing a more-or-less permanent invasion of 5,000-10,000 foreigners onto Yap soil would be **severely injurious**, not only to the health and welfare of the citizens of Yap State, but also to its forests, mangroves, and reefs).

YSC Title 22, §308 (e): (4) The holder of the permit bribed or otherwise exercised, or attempted to exercise, undue influence on the decision to issue the permit;

I would argue that the FIP should be cancelled, since ETG **attempted to exercise undue influence** (to change Yap State Code to allow gambling), by **offering bribes to both the People of Yap State and to the Yap State Governments** in the total amount of **\$8,763,592**, itemized as follows (*Source: ETG document "ETG Yap Project Summary 072312.pdf" (July 2012)*):

a) Upon YSC change: to all 11,934 Yapese, the sum of \$200 (total \$2,386,800)

b) Upon YSC change: to Yap State Government, the sum of \$600,000

c) Upon Gaming start: to all 11,934 Yapese, the sum of \$400 (total \$4,773,600)

d) Upon Gaming start: to Yap State Government, the sum of \$1,000,000

YSC Title 22, §308 (e): (7): The holder of the permit fails or refuses to comply with any restrictions or conditions included in the permit;

I would argue that the FIP should be cancelled, since ETG clearly intends to violate **YSC Title 22, §305 (a) (4)**.

YSC Title 22, §308 (e): (8): fails to comply with YSC Title 22, §308 (e) (4):

1) Offering a \$8,760,592 bribe to the People and Government of Yap State;

2) Offering a \$3,000 bribe to Rumung Chief Louis Lukan

I would argue that the FIP should be cancelled, since ETG clearly has already violated **YSC Title 22, §308 (e) (4)**.

Interestingly, the primary responsibility for the **enforcement** of the relevant code chapters is placed in **the Director of R & D, and in the Attorney General...** **Both of whom are clearly “Pro-ETG”...**

But I’m no lawyer, and I also do not reside in Yap State...

Side issue: Now that we **know** that Mr. **Jeremiah Luther** was the lawyer negotiating the “investment agreement” for Yap State, should he not be brought to court on the grounds that—based on the “agreement” extreme lopsidedness in ETG’s favor—he **clearly negotiated in the interests of ETG rather than in the interests of Yap State?**

Another interesting observation: In the FIP application, Mr. Deng Hong’s answer to the question “How much do you intend to invest in Yap State?”, his answer was **\$8 million (\$8,000,000)!** That might cover the cost of fixing the roads so that bulldozers could be transported...

Acting Yap State Attorney General, General Information

Source: [Facebook Profile \(Jeremiah B. Luther\)](#)

Jeremiah B. Luther is a licensed, Tennessee attorney with a practice focusing on Criminal Defense, Divorce, Employment Discrimination, Wills, & Personal Injury.

He is a former Community Corrections case officer. Prior to going into business for himself, his past legal experiences included: clerking for a Metro Nashville Criminal Trial Court Judge, working for an insurance defense law firm, and practicing personal injury law for a Plaintiff's law firm in Nashville, TN.

Jeremiah Luther believes that an attorney must understand his client in order to successfully defend him/her. Clients are never a number or a "billable hour" to Mr. Luther. Each client is an individual that deserves **respect** and **understanding**. Because Mr. Luther strives to understand each client, he is able to zealously advocate for each client's right to justice and fairness under the law.



Addendum: Rules of the State Bar of Yap

Source: www.fsmlaw.org/yap/rules/statebar.htm

The purpose of these rules is two-fold: to regulate the practice of law **for the benefit of the people of the State of Yap** and to promote the development of an informed, stable and **responsible legal profession** in this state.

These rules are based upon the following principal findings:

- (1) The **practice of law is a function of vital importance to the people** of this State; a competent and honest legal profession is essential to the orderly and efficient administration of justice and the conduct of both public and private affairs; and
- (2) The legal needs of public agencies and private citizens in this state differ in significant ways from those in other jurisdictions; and
- (3) There is at the present time a serious shortage in the number of attorneys in this state and that shortage is likely to exist for some time; and
- (4) It is in **the best interest of the people of this state** for this Court to encourage citizens of the state to choose a career in law, to obtain a formal legal education and return to serve in public and private capacities in the legal profession; and
- (5) In light of the **great need for legal services** and the limited availability of attorneys, it will be necessary to make special provisions for admission to the State Bar of Yap of some non-lawyers and of some attorneys from elsewhere who are employed by a public or quasi-public agency within the state; these special provisions should be temporary in nature and should be considered to be an unavoidable exception to the necessity of establishing and maintaining **a legal profession which is an integral part of the society of this state**; and
- (6) It is essential to the maintenance of **high standards of competence and responsibility and to the prompt and efficient administration of justice** that all members of the legal profession be actual residents or citizens of this state; and
- (7) The **people of this state will be best served by** a legal profession which consists of **practitioners, with proven good moral character**, who are members of this society, whether by birth or by choice, and **who are committed to faithful and diligent service** in the high calling of attorney or counselor at law.

Rule 12. Oath.

- (a) Content of Oath. Every applicant who is found by the Court to be qualified for admission to the State Bar of Yap, shall appear in open court and take an oath or affirmation in the following form:

“I, [name of applicant], **hereby solemnly swear** [or affirm] that I will uphold the Charter [or Constitution] and laws of the State of Yap; that I will represent my client to the utmost of my ability; that **I will faithfully abide by the Code of Professional Responsibility; and that I will at all times conduct myself in a manner to uphold the dignity of this Court and the honor of the legal profession.**”

Rule 13. Code of Professional Responsibility.

- (a) Observance Required. Every member of the State Bar of Yap **shall conduct himself or herself in a manner consistent with the Code of Professional Responsibility as promulgated by the American Bar Association.**
- (b) Discipline or Disbarment. **A member of the State Bar shall be subject to discipline or disbarment by the Court for violation of the Code of Professional Responsibility.**