

Ambrose Orianiha'a

From: Ambrose Orianiha'a
Sent: Thursday, April 21, 2016 5:17 PM
To: Michael Marsik; Steve Kostelnik
Cc: Fredrick Austin Anii
Subject: Fwd: (b)(3) Usaia Masibalavu (WU American Samoa)

All,

Please see WU details for Mr. Usaia.

Thanks,
ao

W/U details: MTCN: (b)(4)
sender Leslie Tavalu
amount: USD300.00

timoci tavusa

From: timoci tavusa
Sent: Wednesday, June 1, 2016 6:23 PM
To: Ambrose Orianiha'a
Cc: Michael Marsik; Steve Kostelnik; GEORGE MADDEN; Noan Pakop; Wez Norris; Kaburoro Ruaia; John D Kelly; Alitia Bainivalu; Netani Tavaga
Subject: Re: Observer Mr. Usaia Masibalavu Action Items

Thanks AO, so just wait for Michael.

Regards.

On Thu, Jun 2, 2016 at 4:08 PM, Ambrose Orianiha'a <ambrose.orianihaa@ffa.int> wrote:

Hi Timoci.

Sorry, I did not get any information today.
We are all waiting for latest updates from Pago.

Hi Michael /Steve.

The latest I know was that the autopsy was to be arranged this week, where are we now with that.

Kind Regards,
Ambrose

On Thu, Jun 2, 2016 at 2:58 PM, timoci tavusa [REDACTED] (b)(6) wrote:

Hi Michael,

Hope things going well from your end.

Well almost to the second week now and very much appreciate if you could give a brief on the latest update regarding Usaia Masibalavu case. At the moment there been concerned about the the reality of the case regarding the investigation/health and please could you followup and advise us.

Ambrose, just need your advise too.

Thanks,

Timoci Tavusa

On Mon, May 30, 2016 at 5:04 PM, timoci tavusa [REDACTED] (b)(6) wrote:

Bula Michael,

Well at this point we still waiting for all the processes regarding Usaia Masibalavu case to be finalised. Just note, this will be a big traditional occasion in our customs and preparation by the ministry and the family is already on the way. Funding is priority and request if you could send the health death certificate to support our request from funding agencies.

In light of this, request for assistance and support for this urgent request.

vinaka,

Timoci Tavusa

.

On Sat, May 28, 2016 at 1:12 PM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Hello all

Timoci, thank you for your help obtaining this medical information.

The vessel is trying to obtain some medical record as well. It may be helpful to get this information to them. The owner is Stuart Chikami who Kab has been corresponding with.

This is not my information to distribute. The vessel has asked me for this, but it is up to you to release it.

Thank you

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Wed, May 25, 2016 at 4:20 PM, timoci tavusa [REDACTED] (b)(6) wrote:

Bula Micheal,

Attached herewith the latest medical report for Usaia Masibalavu.

Also would like to apologize for the slow process we have faced to receive this document.

Looking forward for further updates.

Thanks,

Timoci Tavusa

On Thu, May 26, 2016 at 9:20 AM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Hello all

We (myself, USCG, DPS) have not yet received any medical history/records.

I met today with the hospital & was able to get some general charges for Usaia. The complete bill will only be released via power of attorney.

Morgue- \$70 first week, \$20 per day thereafter

Embalming- \$300

Emergency Room fees- \$120

Repatriation fees- \$128

EMS charge- TBD

Autopsy- TBD

I met with DPS, who are pursuing an autopsy. This is going to take days. They will update me with any developments. The detective I spoke with, Ani, said that the request was submitted yesterday to the Attorney General. He will update me with any developments. He added, "If we could have gotten the medical records and history, there may not be a need for an autopsy."

Thanks

Michael Marsik

American Samoa Observer Program

Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)

www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Tue, May 24, 2016 at 2:29 PM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Good afternoon

Sorry to have to be persistent, but I have not had anyone return any medical records to me to aid in the processing of Usaia's case.

Please help.

Michael Marsik

American Samoa Observer Program

Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)

www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Mon, May 23, 2016 at 7:01 PM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Hello all

I met with Captain Supapo today who told me that right now, they were still waiting for a copy of Usaia's medical records.

I need to stress, it is IMPORTANT to the timely processing of his matters that Usaia's medical records get here.

The records seem to be the thing stalling the investigation and the release.

Thanks in advance

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Sat, May 21, 2016 at 11:06 AM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Hello all

Today the WESTERN PACIFIC was met at the dock by AS Observer Program, NOAA Office of Law Enforcement, the vessel agent, US Coast Guard, Port Administration, Department of Health, Emergency Medical Services (EMS), & Department of Public Safety (DPS).

A local Catholic priest was called to say words for Usaia, blessing him (and the crew who very sadly watched over him as he transitioned). EMS took him to the LBJ Tropical Medical Center (LBJTMC).

It being a weekend, it was a little difficult to find LBJTMC people to answer questions. I was able to speak with someone in pathology. I was told that DPS is now in charge, and once they release Usaia, logistics can really begin.


To complete the DPS report, I was asked for:

- A copy of Usaia's latest medical records
- A copy of FFA observer's general duties & training
- A copy of the placement record (I have already given them this)

Upon completion of the release, pathology begins embalming, the Department of Public Health (DPH) goes forward with the Death Certificate and then the permits necessary for his travel home. Once permits for travel are obtained, the airline(s) can be contacted for scheduling. In order for him to travel, I was told he needs to rest in a sealed casket.

If we can be forwarded the two underlined action items above, we will be on our way to finally sending him home.

Thank you everyone for your help and support. Let's get him back home to his loved ones ASAP.

A series of vertical lines of varying heights and thicknesses, arranged in a descending staircase pattern from left to right, located on the left side of the page.

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

Stephen Kostelnik

From: Stephen Kostelnik
Sent: Thursday, June 9, 2016 3:21 PM
To: Michael Marsik
Subject: questions

Hi Marsik,

Hope all is going well with your trip, sorry to bother you. A couple questions:

Do you know where Usaia Masibalavu's passport is? Jeff believes he gave it to you.

Do you need the Ford taken in for some repairs? I remember you mentioning some wheel bearings.

Let me know please.

take care,
Steve



**NOAA
FISHERIES**

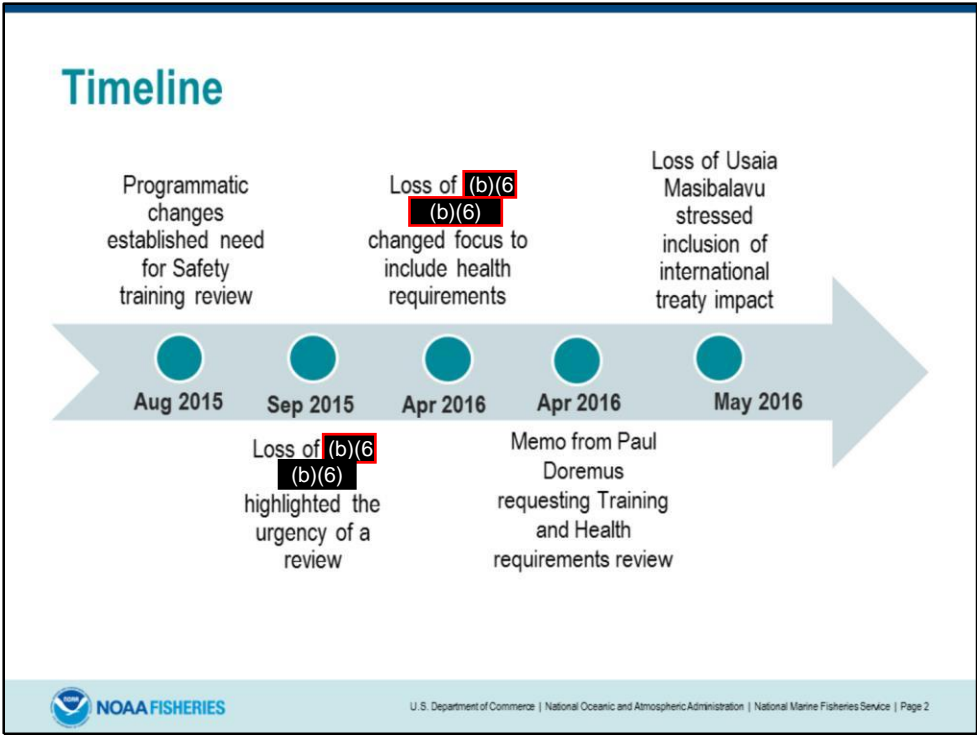
Office of Science
& Technology

**National
Observer Program**

Observer Safety Program Review Leadership Briefing

External assessments of the practices and
policies that govern NMFS observer safety

Richard Kupfer, Fishery Biologist
June 14, 2016



Discussions on changing safety training practices initiated discussions on a training review. Each successive event expanded need and scope.

Identifying Our Need

Observer Losses (1990 – Present)

	US Vessels	Foreign Vessels	Other Deployment ³
US Observer	4		2
Foreign Observer ²	1	N/A	N/A
US other ¹		1	

1. US trained (NMFS supported trainings) citizens employed by private contractors to service an international treaty the US is a signatory to.
2. Observers managed by non-US observer programs to serve aboard US vessel, and are often supported by NMFS staff.
3. Deployment includes, shoreside duties, and training that pose uniform risks to observers.



SET THE STAGE : Lack of information leads to need.

Deployments include shoreside duties and NMFS related activities. Foreign vessels and observers are listed under treaties (WCPFC, IATTC, etc.) that the US is a signatory to and that NMFS supports through placement or trainings. Initial inquiries show that data on fatalities and injuries is not maintained by some treaty organizations, and injury data is not maintained by some NMFS observer programs. NOAA has no data older than 2010, and no Observer specific data prior to 2015.

“Complacency is the enemy of Safety.”

-Capt. Jennifer Lincoln
Ph.D., CSP - NIOSH

“My immediate focus is to ensure existing policies and procedures are being properly executed.”

-Paul Doremus, Ph.D., Deputy Assistant Administrator for Operations, NMFS

 **NOAA FISHERIES**

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1. Highlights the continuing need to monitor changing conditions...“can’t mitigate risks we aren’t aware of”
2. Evaluate guidance and adherence

Statement of work

- National Observer Program Advisory Team and its Safety Advisory Committee endorsed expansion to include “Safety Program” review instead of only safety training
 - Items for review under a Safety Program are key to developing a statement of work

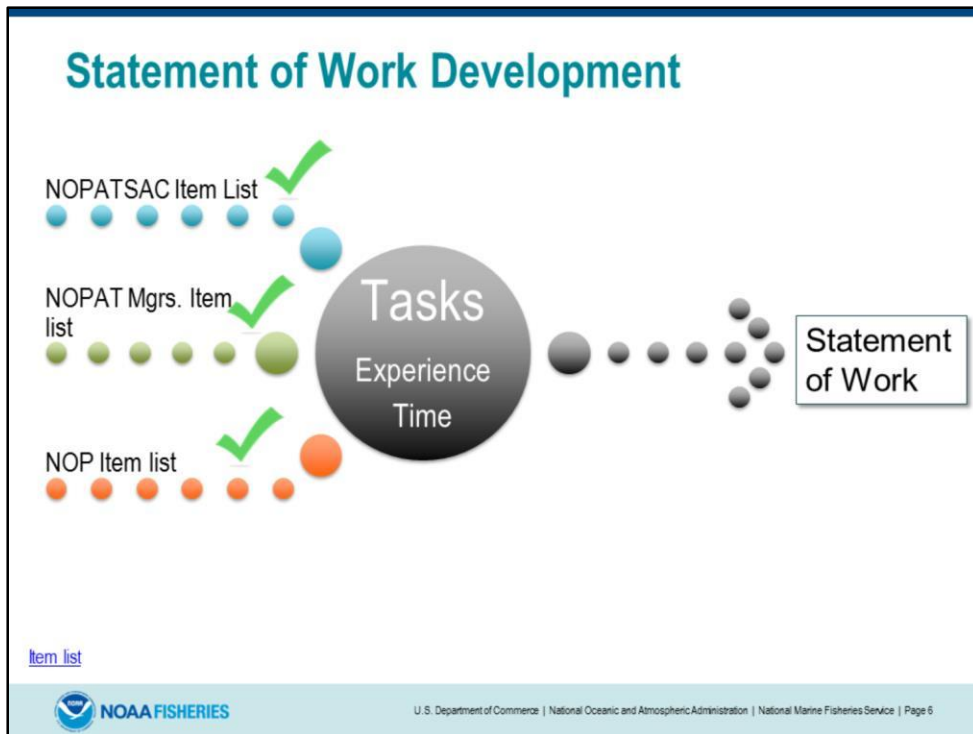
[DAA Memo](#)



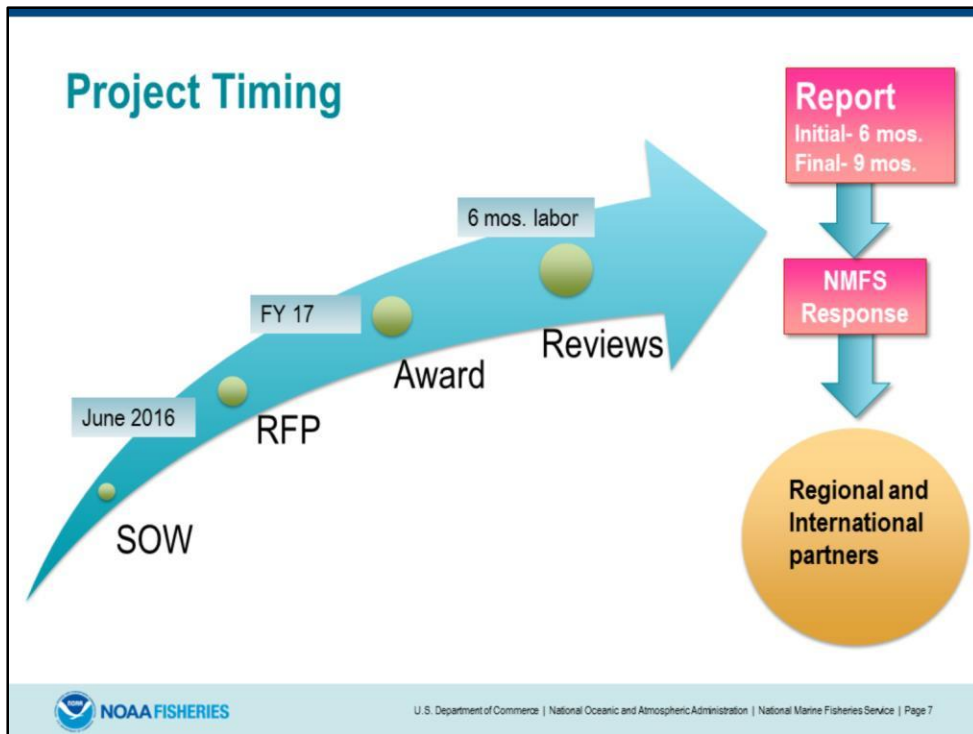
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Introduce: **PARADIGM SHIFT** of “Safety Program” concept

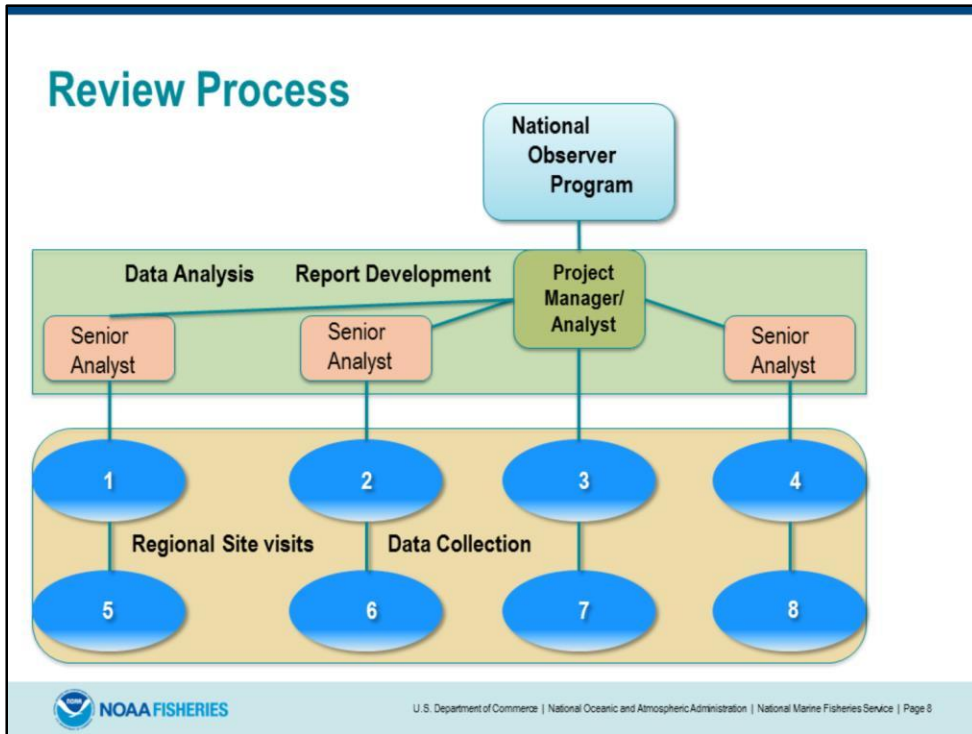
After recent safety incidents the original proposal to review observer safety training programs was expanded to review all program safety items that impact observer safety. Generating specific tasks for the statement of work will depend upon the list of items that each regional program needs/wants reviewed.



Once all item list feedback was completed, the tasks were expanded to make the SOW as detailed as possible. Tasks influenced deliverables, KSAs, and pay rate. NOPATSAC has already finalized feedback on item list. NOP managers finalized feedback on 5/25/16. Feedback from regional programs also determined time frames for review of each region.



Current progress puts the SOW at completion in June. With the IGCE and 2 COR signed forms ready to accompany the SOW, it could all go out to RFP in June and be awarded in mid-late Sep (Patty Zeilinski).



A team of 4 analysts, including a project leader, will review 8 programs over 6 months. 3 mos/program per person. Reviews will be concurrent based on coordination with regional programs. Project leader will present to NMFS and coordinate twixt team and NMFS.

Review Items Core Element

Safety Reporting

Mechanisms for reporting and tracking:
Between observer, provider, program, acting officials, NMFS, NOAA.
After Action Reports

Communications

Efficacy and thoroughness of program and provider plans.
Evaluation and updating mechanisms.
Evacuation from sea.

Practices/Policies

Placement Exams.
Vessel Drills.
Observer safety requirements at sea.
Health requirements for observers.
Policy enforcement.
Identification and mitigation of concerns.
Oversight.

Training

Review curricula for initial and refresher classes.
Risk management.
Trainer qualifications.
Training standards compliance.
Records and reporting.
Logistics/coordination
Observer certifications.

Equipment

Industry standards.
Maintenance.
Suitability.

International

International regs impact to NMFS program safety .
NMFS role in fostering international safety.

Regulations

Regional regs that impact safety.
National regs:
MSA,USCG, insurance.

Costs

- Estimates are based on the highest OPM rates, current contractor rates, and current travel inquiries.

Labor costs	\$329,000
Travel costs	\$56,000
Total Estimated Costs	\$385,000

[Cost sheet](#)



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All estimates were made using the highest dollar amounts and longest periods of times necessary to complete tasks. Only the lodging does not include taxes in the estimates. Review is frontloaded with length depending upon regional schedules. (this would depend on the schedules of each regional training)

Liz Mitchell

From: Liz Mitchell
Sent: Thursday, October 20, 2016 9:15 PM
To: Stephen Kostelnik
Cc: John D. Kelly
Subject: Re: Usaia Masibalavu

Dear Steve,

Thank you for that. Can you please tell me the name and contact number/e-mail for those at the local police, NOAA OLE and USCG who might be able to provide more information?

Take care,

Liz

On Oct 20, 2016, at 7:41 PM, Stephen Kostelnik <steve.kostelnik@noaa.gov> wrote:

Talofa Liz,

Michael and myself were both dockside when the vessel returned to port with the deceased observer Usaia Masibalavu. Local Police, NOAA OLE and USCG were all present to investigate the incident. They would be the ones to contact about the details. There was an autopsy done at LBJ Hospital by Dr. Amor Gonzales 684-633-1222 X 628. We handled the organization and shipment of Usaia's body back to Fiji with help of the owner of the vessel he passed away on. A small service was held for Mr. Masibalavu with the Fijian community here which I attended and spoke at. I hope this is helpful.

good day, soifua,

Steve

On 10/20/2016 4:58 AM, Liz Mitchell wrote:

Hi Stephen and Michael,

I'm from the Association for Professional Observers. I've known Joe and John for many years, so wanted to introduce myself to you both. APO advocates for observer safety, among other things.

I have received news of the death of a Fijian observer, Usaia Masibalavu, who died

while working as an observer on the US purse seine vessel. I received the death certificate which indicates bleeding of the lungs as the cause of death. However, various Fijian and NOAA officials are reporting that he died of a heart attack. I have talked with three different US physicians who all agree that this death certificate does not imply a heart attack as the cause of death. It says that the cause of death was bleeding of the lungs (diffuse alveolar hemorrhage and pulmonary edema). One physician stated that a heart attack would not cause this condition. Can any of you possibly explain this discrepancy in the cause of death?

Also, I heard that he was found at the bottom of some stairs three days after his death. This is suspicious to me. I would think if an observer didn't show up at their station, an onboard investigation would ensue immediately I was wondering if it is possible for me to see the autopsy report. Were any forensic toxicology studies done?

Yet another version of his death emerges: Usaia reported in his standard data report on Wednesday, May 18, that he sustained a knee injury. On Friday, May 20, the captain called in (to who?) to report that Usaia had complained that day of dizziness and blurry vision and that they were going in. But then the next day he died before they reached the dock.

I have several questions:

1. What sort of autopsy was performed?
2. Did they do the necessary toxicology screenings?
3. Did the captain administer medication to Usaia for his knee or other injury?
4. Did the autopsy indicate a knee injury and confirm time of injury?
5. Was there a heart attack?
6. Is there an investigation into the cause of death?
7. What information has been provided to his wife?

Thanks very much for any information you can provide.

Elizabeth Mitchell
Association for Professional Observers
PO Box 933
Eugene, Oregon 97440
Tel: 541-344-5503
Tel: 541-515-3716
E-mail: emitch@efn.org
APO E-mail: apo@apo-observers.org
Web: www.apo-observers.org

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From: raymond.clarke@noaa.gov
Sent: Saturday, May 21, 2016 3:10 PM
To: Michael Marsik - NOAA Federal
Cc: John Kelly - NOAA Federal; Steve Kostelnik - NOAA Federal
Subject: Re: Investigation update: NOAA Observer Death onboard CFV WESTERN PACIFIC

Good to clarify- thx!

Sent from my iPhone

On May 21, 2016, at 2:28 PM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Good Afternoon (b) (6) USCG

To clarify- the deceased is not a NOAA observer.

Usaia Masibalavu was a Fijian National Observer currently under contract with Pacific Islands Forum Fisheries Agency (FFA).

The details of the South Pacific Tuna Treaty (SPTT) state certain responsibilities that are undertaken in Pago Pago fall under the duties of the National Marine Fisheries Service, but to be sure, these FFA fisheries observers are not "NOAA observers".

Thanks for your help

We are currently reaching out through his employer for any health records.

Let us know what else we can assist with

Michael Marsik
American Samoa Observer Program
Office 684.633.3971 - Mobile 684.256.9339
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Sat, May 21, 2016 at 1:03 PM (b) (6) USCG wrote:

Good Afternoon SCC Honolulu,
U.S. Coast Guard Marine Safety Detachment personnel (b) (6) USCG an (b) (6) USCG (b) (6) USCG conducted a marine casualty investigation for the deceased NOAA observer on the commercial fishing vessel WESTERN PACIFIC today alongside NOAA law enforcement officer Edwin Seui and American Samoa police investigators. The preliminary investigation revealed that the death may have been caused by a pre-existing medical condition but we will wait for the final results from the American Samoa coroner's autopsy report before making a final determination. The American Samoa medical examiner and investigators conducted an on-site review of the deceased individual and did not observe any indications of foul play. The investigation is ongoing and we will update you with more information as we receive it.

V/r

(b) (6) USCG

U.S. Coast Guard
MSD American Samoa
P.O. Box 249
Pago Pago, AS 96799

(b) (6) USCG

Teresa Turk

From: Teresa Turk
Sent: Monday, April 17, 2017 6:34 AM
To: Steve Kostelnik - NOAA Federal; Michael Marsik - NOAA Federal
Subject: USCG and DPS report

Hi Steve and Michael,
Good morning and I hope you had a wonderful Easter holiday! I know I did with lots of friends and family. My apologies in advance for my weekly email requesting any updates on obtaining the USCG and DPS files on Usaia. I'm a bit concerned that these reports will not be available before our review is finalized.

Thanks for all that you are doing and let me know if there is anything I can do to facilitate their release.

Cheers,
Teresa

Sent from [Outlook](#)

Teresa Turk

From: Teresa Turk
Sent: Sunday, June 25, 2017 9:14 AM
To: Steve Kostelnik - NOAA Federal
Subject: After Action Report

Hi Steve,

As you might know, the OSPR team is getting pretty close to completing the next draft to submit to the NOP. There have been a few emails from the NOP that are asking that details on Usaia's incident not be included. I don't really understand why but this is the tone. Given that, I don't plan on including your after action report. If you feel strongly that it should be included, please let me know.

Thanks for drafting the information-it might come in handy in the future if anyone asks for additional details. Thanks again for all the great work you and your team members do in AS,
Teresa

Sent from [Outlook](#)

Itinerary: USAIA MASIBALAVU

Airline	Flight no.	Date	Departure - Destination	Times	Extra info.
Fiji Airways	FJ10	Saturday 12th April	Suva - Fiji	10:00 - 10:30	Operated By Pacific Sun
Fiji Airways	FJ24	Saturday 12th April	Suva - Fiji	19:00 - 19:30	waitlisted
Fiji Airways	FJ253	Sunday 13th April	Fiji - Western Samoa	01:45 - 04:35	

From: Jane DiCosimo - NOAA Federal <jane.dicosimo@noaa.gov>
Sent: Monday, October 17, 2016 5:40 PM
To: Stephen Kostelnik
Cc: Richard Kupfer - NOAA Federal; Michael Marsik
Subject: Re: Usaia Masibalavu

Thank you.

Jane DiCosimo

Chief, Fishery Branch & National Observer Program Coordinator
Assessment and Monitoring Division
Office of Science & Technology
National Marine Fisheries Service
1315 East West Highway
Silver Spring MD 20910
301 427-8109

On Mon, Oct 17, 2016 at 2:18 PM, Stephen Kostelnik <steve.kostelnik@noaa.gov> wrote:

Talofa Jane,

I handled the organization and shipment of Usaia's body back to Fiji with help of the owner of the vessel he passed away on. There was an autopsy done. At the time the hospital records staff said it would not be ready for a month. The autopsy was done by Dr. Amor Gonzales 684-633-1222 X 628. I hope this is helpful.

good day,
Steve

On 10/16/2016 2:46 PM, Richard Kupfer - NOAA Federal wrote:

She would need to speak to the local authorities in the American Samoa Government who handled the body and the autopsy, or the Forum Fisheries Agency who managed the program he worked for. I've CC'd the two NMFS staff in AS who can put you in touch with the right people.

Cheers,
Rich

On Sat, Oct 15, 2016 at 7:58 AM, Jane DiCosimo - NOAA Federal <jane.dicosimo@noaa.gov> wrote:

Hi Rich

To whom at the USCG or OLE I can direct Liz Mitchell? Thanks

Jane DiCosimo

Chief, Fishery Branch & National Observer Program Coordinator
Assessment and Monitoring Division
Office of Science & Technology
National Marine Fisheries Service
1315 East West Highway
Silver Spring MD 20910
[301 427-8109](tel:3014278109)

On Sat, Oct 15, 2016 at 4:29 AM, Liz Mitchell <emitch@efn.org> wrote:

Hi Jane,

I'm not sure if you're the right person to ask this but I saw your OAC presentation for the observer program safety review and Usaia Masibalavu was mentioned, so I thought I'd start with you. I was wondering if NMFS has seen the autopsy report for Usaia Masibalavu. I heard from all Fijian sources I spoke with that Usaia died of a heart attack. However, this death certificate states bleeding of the lungs as the cause of death and that this was a rather sudden onset. There's many things that can cause sudden onset of Diffuse Alveolar Hemorrhage, so I was wondering if you had any more detail on his postmortem. Do you know if there was a toxicology report?

Thank you.

Liz

Liz

--

Richard Kupfer
NMFS/ PIRO Observer Program
1845 Wasp Blvd. Bldg. 176
Honolulu, HI 96818
ph. 808-725-5105
cell-808-352-5124

Stephen Kostelnik

From: Stephen Kostelnik
Sent: Saturday, May 21, 2016 11:23 AM
To: Thomsen, Vernon F; Anderson, Bryan MSSD2
Cc: Michael Marsik; John D Kelly; Raymond Clarke - NOAA Federal
Subject: Fwd: Fwd: Observer Weekly

Hello Gentlemen ,

See below the weekly report from Usaia Masibalavu. We will also get the VMS snapshot for you. Let us know what else we can do to help out.

thanks,

Steve

----- Forwarded Message -----

Subject:Fwd: Observer Weekly

Date:Thu, 19 May 2016 11:04:02 +1300

From:Lyndsay Mund (b) (6)

To:Steve Kostelnik <Steve.Kostelnik@noaa.gov>, Michael Marsik - NOAA Federal
<michael.marsik@noaa.gov>

CC:Taulauniu Hunki (b) (6)

Good Morning Steve/Michael,

See forwarded OBSERVER WEEKLY REPORT from observer on Western Pacific.

FYI

Kind regards

Lyndsay MUNDRI | FISHERIES OFFICER | MSC Certified Observer |
PIRFO Certified De-briefer | CIFFO
Fagatogo Square Building | Room # 206
P. O. Box 998431 | **PAGOPAGO** |
American Samoa | Zip Code: 96799

Email address (b) (6)

Office phone: +1 (684) 633 7183 BH

Cellphone: +1 (684) 252 9193 AH

Skype: lyndsay.mundri2

----- Forwarded message -----

From: **Master WesternPacificFB** (b) (6)

Date: Thu, May 19, 2016 at 11:00 AM

Subject: Observer Weekly

To: Ambrose Orianihaa <ambrose.orianihaa@ffa.int> (b) (6)

(b) (6) "(Fiji) Apensia Sauturaga (b) (6)

Usaia Masibalavu

Fiji

(b)(3)MSA

Western Pacific

1/2 full

vms is on

(b)(3)MSA

Observer had a twisted knee injury,have ice on knee to reduce swelling.

No problems

End



Virus-free. www.avast.com



DEPARTMENT OF HEALTH
AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
BURIAL TRANSMIT PERMIT

NAME OF PERSON REQUESTING PERMIT: STEPHEN KOSTELNIK

FULL NAME OF DECEASED: USAIA MASIBALAVU

DATE AND CAUSE OF DEATH: MAY 21, 2016/ CARDIAC ARRYTHMIA/ DIFFUSE ALVEOLAR HEMORRHAGE AND PULMONARY EDEMA

PLACE OF DEATH: F/V WESTERN PACIFIC (AT SEA)

PLACE AND DATE OF EMBALMING: LBJ TROPICAL MEDICAL CTR/ June 14, 2016

NAME/ADDRESS OF FUNERAL HOME AT DESTINATION OF ARRIVAL: BODY WILL TRANSPORT TO SAMOA BY FOTU O SAMOAI 6/23/16, AND DEPART FROM SAMOA TO SUVA FIJI 6/26/16.

DATE OF TRAVEL / TRANSPORT: JUNE 23, 2016

APPROVED:



Dr. Joseph Tufa
MEDICAL DIRECTOR
AMERICAN SAMOA GOVERNMENT

MUST ATTACH COPY OF DEATH CERTIFICATE AND MORTICIAN'S NOTARIZED STATEMENT OF EMBALMING

******* OFFICE USE ONLY *******

PERMIT DATE: 6/16/16	Bp #: 2016-616
	PREPARED BY: F Faumuina

DEPARTMENT OF HEALTH
AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
VERIFICATION OF NON-CONTAGIOUS DISEASE FOR DEATH

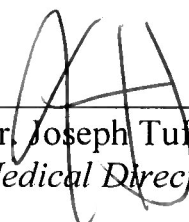
June 16, 2016

TO WHOM IT MAY CONCERN:

This letter is to confirm that Usaia Masibalavu did not die of any contagious diseases here in American Samoa. It further authorize the human remains to be transport to Samoa on June 23, 2016 by Fotu o SamoaII, and depart for Suva Fiji June 26, 2016.

If you should have any further inquiries, please contact my office during normal working hours.

Respectfully,



Dr. Joseph Tufa, MO
Medical Director

ENC: BURIAL PERMIT

Polynesia Shipping Services Inc.,
P.O. Box 1478
Pago Pago, American Samoa 96799

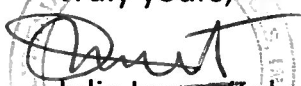
June 15th 2016

To Whom It Ma Concern,

Please be advised that the mention named Usaia Masibalavu deceased is fully Book on the 23rd June 2016 on Fotu o Samoall V115 from Pago to Apia onward to Fiji for final destination.

Hope this short notice will help speed his documents process.

Truly yours,



Julia Lamositele

Documentation Assistant

AS AGE

Certificate of Death

AMERICAN SAMOA

21-51-28

Hospital Number

2016531


Certificate Number

(1) Name of Deceased			First	Middle	Last	(2) Date of Death			Month	Day	Year
USAIA					MASIBALAVU		MAY	21,	2016		
(3) Place of Death						(4) Usual Residence:					
F/V WESTERN PACIFIC (AT SEA)											
Village			D.O.A. (X)			Village			LOMALOMA, FIJI		
District			Hospital ()			District					
(5) Sex:		Male (X)		(6) Race:		(7) Single () Married (X)		(8) Occupation			
		Female ()		FIJIAN		Widowed () Divorced ()		OBSERVER			
(9) Date of Birth			Mo.	Day	Yr.	(10) Age (Yrs)		If under 1 Yr.		If under 24 hours	
(b) (6)						a. (b) (6)		b. Mo ___ Days ___		c. Hr ___ Mins ___	
(11) Birthplace						(12) Nationality					
FIJI						FIJIAN					
(13) Father's Name						(14) Mother's Name					
(b) (6)						(b) (6)					
(15) Accident		(16) Place of Injury				(17) At Work		(18) Autopsy			
Suicide		Village				Yes (X) No ()		Yes (X) No ()			
Homicide		District									
(19) Time of Death			(20) Informant:			PATIENT'S CHART					
9:45 A.M.			Name:			Signature:					
			P.M.								

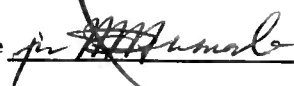
(21) I HEREBY CERTIFY THAT I have () have not (X) attended the deceased: that death occurred on the date state below and the best of my knowledge, from the cause stated below: the deceased was: (X) seen () not seen by me after death

(22) CAUSE OF DEATH		Approximate interval between onset and death
(I) Disease or condition leading to death Antecedent Causes: (Morbid conditions, if any, giving rise to the above cause, stating the underlying condition last). (II) Other significant conditions: (Contributing to death but not related to the disease or condition causing it).	(a) DIFFUSE ALVEOLAR HEMORRHAGE AND PULMONARY EDEMA	1 DAY
	(b) RIGHT CHRONIC PLEURITIS AND FIBROSIS, SUPERIOR VENA CAVA INTRALUMINAL FIBROSIS	MORE THAN 1 MONTH
	(c) AORTIC AND MITRAL VALVULAR DISEASE	MORE THAN 1 YEAR

CERTIFIED TO BE TRUE COPY


AMOR B. GONZALES, M.D.
 SIGNATURE (PHYSICIAN)

IOTAMO T. SALEAPAGA, M.D.
 Chief Medical Officer

(23) REGISTRAR: 
REGISTRAR, VITAL RECORDS
GOVERNMENT OF AMERICAN SAMOA

Date Filed by Registrar **06/14/16**



LBJ Tropical Medical Center

P.O. Box LBJ
Pago Pago, American Samoa 96799



Date: June 14, 2016

VERIFICATION OF EMBALMER

To Whom It May Concern

I, Fagaalu Siaki, an Embalmer for LBJ Tropical Medical Center, have Sanitized and embalmed the remains of a person encased herein, identified
As; Usaia Masibalavu

Arterial embalming has been completed. Both thoracic and abdominal cavities have been aspirated and treated with fluid. I further state that there are no foreign objects such as firearms, explosions and ammunitions within this container. I also state that there are no drugs related paraphenalia being moved with this Body.

Note : This body has been placed in a hermitically sealed casket. The casket has been encased in as air-tray as required by airline regulations

EMBALMER

For- Fagaalu Siaki

From: Michael Marsik - NOAA Federal <michael.marsik@noaa.gov>
Sent: Thursday, October 20, 2016 8:47 AM
To: Liz Mitchell
Cc: Stephen Kostelnik; John Kelly - NOAA Federal; Stuart Arceneaux - NOAA Federal
Subject: Re: Usuai Masibalavu

Good Morning Elizabeth

Fair enough

You have been pointed in the right direction by Steve.

I do not wish to discuss the factors surrounding Mr Masibalavu's passing with you.

If you need anything, please contact my direct supervisor, Mr John Kelly.

Thank you & have a nice day

Michael Marsik
American Samoa Observer Program
Office 684.633.3971 - Mobile 684.256.9339
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Thu, Oct 20, 2016 at 6:51 AM, Liz Mitchell <emitch@efn.org> wrote:

Good morning Michael and all,

I am sorry to say this but I try hard to not reveal my sources because information is sometimes really difficult to come by. But that being said, how would knowing that information help? Heart attack has been the only story I heard from officials. What I understand is that Fijian officials are not being cooperative with US officials in releasing the necessary documentation, so it could be that the people I spoke with at NOAA are accepting the version from Fijian officials. I think what will reveal more about the situation is seeing the autopsy, any toxicology reports conducted, phone logs from the captain regarding Usaia, data reports from Usaia, especially if he reported a knee injury, as well as a demand for knowing the medication, if any, that was administered by vessel personnel to Usaia (for pain? for the knee injury?). A toxicology study would also reveal what sort of medication he was taking. As I understand, being a US-flagged vessel, the US has jurisdiction over this case, not Fiji, despite the observer being Fijian. I'm trying to get to the bottom of this, like you. I'm sorry - I don't mean to be unhelpful or combative. Do any of you have access to those report and may I see them?

Thanks,

Liz Mitchell

On Oct 20, 2016, at 9:38 AM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Good Morning Elizabeth

On the heart attack question:

Could you please let us know which various NOAA officials were aware of a heart attack with Mr Masibalavu? That would help us as well. We would like to pool together all of the persons with knowledge of this, to provide a clearer understanding of the incident.

Thank you

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Thu, Oct 20, 2016 at 4:58 AM, Liz Mitchell <emitch@efn.org> wrote:

Hi Stephen and Michael,

I'm from the Association for Professional Observers. I've known Joe and John for many years, so wanted to introduce myself to you both. APO advocates for observer safety, among other things.

I have received news of the death of a Fijian observer, Usaia Masibalavu, who died while working as an observer on the US purse seine vessel. I received the death certificate which indicates bleeding of the lungs as the cause of death. However, various Fijian and NOAA officials are reporting that he died of a heart attack. I have talked with three different US physicians who all agree that this death certificate does not imply a heart attack as the cause of death. It says that the cause of death was bleeding of the lungs (diffuse alveolar hemorrhage and pulmonary edema). One physician stated that a heart attack would not cause this condition. Can any of you possibly explain this discrepancy in the cause of death?

Also, I heard that he was found at the bottom of some stairs three days after his death. This is suspicious to me. I would think if an observer didn't show up at their station, an onboard investigation would ensue immediately I was wondering if it is possible for me to see the autopsy report. Were any forensic toxicology studies done?

Yet another version of his death emerges: Usaia reported in his standard data report on Wednesday, May 18, that he sustained a knee injury. On Friday, May 20, the captain called in (to who?) to report that Usaia had complained that day of dizziness and blurry vision and that they were going in. But then the next day he died before they reached the dock.

I have several questions:

1. What sort of autopsy was performed?
2. Did they do the necessary toxicology screenings?
3. Did the captain administer medication to Usaia for his knee or other injury?
4. Did the autopsy indicate a knee injury and confirm time of injury?

5. Was there a heart attack?
6. Is there an investigation into the cause of death?
7. What information has been provided to his wife?

Thanks very much for any information you can provide.

Elizabeth Mitchell
Association for Professional Observers
PO Box 933
Eugene, Oregon 97440
Tel: [541-344-5503](tel:541-344-5503)
Tel: [541-515-3716](tel:541-515-3716)
E-mail: emitch@efn.org
APO E-mail: apo@apo-observers.org
Web: www.apo-observers.org

After Action Report- Usaia Masibalavu

1. Length of Employment/ Experience / Past Problems

Fiji Ministry of Fisheries (Marine Observer) 2010-2016

Senior Observer – I had worked with Usaia in Pago Pago as far back as 2010

No known problems in AS

Was Usaia deployed on the Western Pacific before? If so, could you add the dates and a copy of the placement meeting if there was one conducted?

If you have access to the trip report, that might be helpful

2. Observer Placement date – vessel name

09April2016 Placement on Western Pacific

Vessel departed 4/23/2016

Do you know what or where Usaia was during the time the placement meeting was conducted on 4/9/16 and the departure date of 4/23/16? I would also add the departure port in the document. Is there a requirement for the observer to stay in touch with you all while he is waiting on the vessel to depart? Was there a reason that it took 14 days between the time of placement and the time the vessel left?

Communication – dates / time, with whom, what was discussed

May19,2016 11:04 am: Observer Weekly Report was forwarded to us (b) (6) – Debriefed (Cook Islands Fisheries Field Office) in American Samoa - Usaia Masibalavu, Fi (b)(3)MSA, Western Pacific, 1/2 full, vms is o (b)(3)MSA. Observer had a twisted knee injury, have ice on knee to reduce swelling, No problems, End

May19,2016 before 12:56 am (b) (6) from the Western Pacific called and said Usaia had hurt his knee and the vessel is coming in to port so he can go to the hospital. He also informed me that they were seeking a USCG medical waiver on the required 96 hour entry notice because they were much closer to American Samoa than that and they were seeking medical care for Usaia Masibalavu.

May19,2016 in the afternoon (b) (6) from the Western Pacific called with an update saying that Usaia was complaining of problems with his vision. We planned to meet the vessel at the docks to take Usaia to the hospital.

May20,2016 around 13:0 (b) (6) from the Western Pacific called and informed Steve Kostelnik that Usaia Masibalavu had passed away en route to Pago Pago, American Samoa to seek medical attention. Steve Kostelnik immediately informed Michael Marsik.

May20,2016 13:04: Michael Marsik sent out an e mail to FFA – Ambrose Orianiha’a & Fredrick Ani’l NOAA PIRO - John Kelly informing them of Usaia Masibalavu’s death. A phone call was made to NOAA PIRO Observer Program Manager- John Kelly

We continued communication with the WESTERN PACIFIC agen (b) (6), who was in (flight/airport) transit to Pago Pago from San Diego, California and in regular communication with the vessel. We never communicated with the Captain until the vessel arrived.

No Emergency Action Plan was in place. FFA has since created an EAP which we will review and modify FFA Observers working out of Pago Pago.

American Samoa Attorney General’s office was contacted to see if there were any legal considerations. The AG said he knew of none. USCG stopped in the office to inform ASOP that they will be investigating the matter.

Deleted: any

American Samoa Observer Program called the hospital (LBJ) to see about transporting Usaia. They said that Emergency Medical Services (EMS) ambulance could not be deployed to do so until the Department of Public Safety (DPS) dispatched them to the scene, but said that they would be prepared & standing by.

Called DPS and alerted them of the situation. They are to meet us dockside and dispatch EMS ambulance.

Michael Marsik spoke with the agent upon his arrival on the flight that night to assure him we would be present.

May21,2016 07:00 Vessel Arrived in Pago Pago

WESTERN PACIFIC was met at the dock by AS Observer Program, NOAA Office of Law Enforcement, the vessel agent, US Coast Guard, Port Administration, Department of Health, Emergency Medical Services (EMS), & Department of Public Safety (DPS).

Enforcement officers were the first to board the vessel.

A local Catholic priest was called to say words for Usaia, blessing him (and the crew who very sadly watched over him as he transitioned). EMS took him to the LBJ Tropical Medical Center (LBJTMC).

Michael Marsik went to LBJTMC to get information about transporting Usaia Masibalavu’s body back home to Fiji and sent out the following:

Deleted: LBJ Hospital

Deleted: m

It being a weekend, it was a little difficult to find LBJTMC people to answer questions. I was able to speak with someone in pathology. I was told that DPS is now in charge, and once they release Usaia, logistics can really begin.

To complete the DPS report, I was asked for:

- A copy of Usaia's latest medical records
- A copy of FFA observer's general duties & training

- A copy of the placement record (I have already given them this)

Upon completion of the release, pathology begins embalming, the Department of Public Health (DPH) goes forward with the Death Certificate and then the permits necessary for his travel home. Once permits for travel are obtained, the airline(s) can be contacted for scheduling. In order for him to travel, I was told he needs to rest in a sealed casket.

If we can be forwarded the two underlined action items above, we will be on our way to finally sending him home.

Thank you everyone for your help and support. Let's get him back home to his loved ones ASAP.

May21,2016 13:03 - USCG sent out the following e mail

Good Afternoon SCC Honolulu,

U.S. Coast Guard Marine Safety Detachment personnel, CWO Bryan Anderson and GS-12 Frank Thomsen, conducted a marine casualty investigation for the deceased NOAA observer on the commercial fishing vessel WESTERN PACIFIC today alongside NOAA law enforcement officer Edwin Seui and American Samoa police investigators. The preliminary investigation revealed that the death may have been caused by a pre-existing medical condition but we will wait for the final results from the American Samoa coroner's autopsy report before making a final determination. The American Samoa medical examiner and investigators conducted an on-site review of the deceased individual and did not observe any indications of foul play. The investigation is ongoing and we will update you with more information as we receive it.

V/r

MSSD2 Bryan Anderson

U.S. Coast Guard

MSD American Samoa

P.O. Box 249

Pago Pago, AS 96799

Ce (b) (6)

I would add information on when the body was shipped back to Fiji on which dates , how it was done, and who paid for this. All of this information is important to understanding the great work that you all did as well as the vessel in a tragic situation.

CELEBRATING THE LIFE

OF

USAIA KOROIVUNILAGI MASIBALAVU

Philippians 1:21-23 (ESV)

For to me to live is Christ, and to die is gain. If I am to live in the flesh, that means fruitful labor for me. Yet which I shall choose I cannot tell. I am hard pressed between the two. My desire is to depart and be with Christ, for that is far better.



School:

Primary- Adi Maopa Government School
(Lomaloma) Class 1-8(1977-1984)

Secondary- Queen Victoria School Form 3-6(1985-1988)

Workplace:

Public Workers Department (A/Clerk) (1991-1993)
Fiji Water Authority (Pay Clerk) (1994-1998)
Ministry of Fisheries (Marine Observer) (2010-2016)

Rugby Career:

Natuicake Rugby Club (Captain)
1998-2008
Suva Rugby Union (Flanker) 2004-2005
Cawa Rugby Union- Koro Island (Coach) 2006-2007
Natuicake Rugby Club (Coach) 2007-2008

SUNRISE: 10/16/1971

SUNSET: 05/29/2016

SERVICE PROGRAM

- *HYMN-224*
- *VEILIUTAKI – TALATALA MESAKE*
- *HYMN-171*
- *OPENING PRAYER*
- *WELCOME- MR TUIONO*
- *SPECIAL ITEM SONG*
- *EULOGY SPEECH-WORK (MR JEFF M/MR*
- *SPECIAL ITEM-MALE VOICE*
- *EULOGY SPEECH-FAMILY*
- *HYMN – SEGA NI KA WALE NA MURI JISU*
- *SERMON –TALATALA MESAKE*
- *HYMN-230*
- *THANKSGIVING SPEECH-MR SAMUELA TUBUI*
- *HYMN-SA MAI CAVA*
- *BENEDICTION PRAYER –TALATALA MESAKE*
- *SPECIAL ITEM*
- *REFRESHMENT*

*“BLESSED ARE THOSE WHO MOURN,
FOR THEY SHALL BE COMFORTED”*

Matthew 5:4

Name: Usaia Koroivunilagi Masibalavu

DOB: 16/10/1971

Koro: Nasealevu

Mataqali: Vatuwa

Tokatoka: Navakasagogo

Tikina: Sasa **Yasana:** Macuata

TUTU VAKA LOTU –SIGA DINA.

Married to (b) (6)

Daughters: (b) (6) 0yrs -Class 5

Son : (b) (6) yrs - Class 2
10months old

Fathers Name: (b) (6)

Mothers Name: (b) (6)

(b) (6)

Siblings: (b) (6) (6)



LBJ Tropical Medical Center

P.O. Box LBJ
Pago Pago, American Samoa 96799



Date: June 14, 2016

VERIFICATION OF EMBALMER

To Whom It May Concern

I, Fagaalu Siaki, an Embalmer for LBJ Tropical Medical Center, have Sanitized and embalmed the remains of a person encased herein, identified

As: Usaia Masibalavu

Arterial embalming has been completed. Both thoracic and abdominal cavities have been aspirated and treated with fluid. I further state that there are no foreign objects such as firearms, explosions and ammunitions within this container. I also state that there are no drugs related paraphenalia being moved with this Body.

Note : This body has been placed in a hermitically sealed casket. The casket has been encased in as air-tray as required by airline regulations.

EMBALMER

For- Fagaalu Siaki

netani tavaga

From: netani tavaga
Sent: Wednesday, January 26, 2011 9:45 AM
To: Ambrose Orianihaa; Gordon Yamasaki; Anare Raiwalui; Apenisa Sauturaga
Subject: FW: Tag seeding Fiji ROP / biological sampling

From (b) (6)
To: carolines@spc.int
Subject: RE: Tag seeding Fiji ROP / biological sampling
Date: Thu, 27 Jan 2011 08:42:14 +1300

Dear Caroline,

Thank you for the positive reply.

Ill as (b) (6) as to why he only did one double tag and not 5, and get back to you.

(b) (6) is going to be placed in General Santos, so if you need him to start tagging, i could contact the observer coordinator in the Philippine (b) (6)

(b) (6) might be able to suppl (b) (6) with the tagging kits.

However, as it stands, ill await your supply of tagging kits and issue it to the observers who are more competent.

I will aim to have all 10 Fiji ROP Observers part take in the tagging program as soon as possible, provided, they show a high level of competence.

As for biological sampling, with respect to the Fiji ROP Observers, i could also issue the necessary kits to the competent observers and have them carry it out in Pagopago.

Ultimately, i will have to rely on Gordon and your analysis of the observer tagging data and proficiency, apart from mine, in judging observer competence.

As you have recommended, ill definitely make sure tha (b) (6) part takes in the tagging program, as per your recommendation.

Thank you again for the favourable reply and i look forward to working with you on both the tagging and biological samplings.

Sincerely,

Netani Tavaga.

Subject: Tag seeding Fiji ROP / biological sampling

Date: Wed, 26 Jan 2011 14:33:33 +1100

From: CarolineS@spc.int

To: (b) (6) ambrose.orianihaa@ffa.int (b) (6)

CC: (b) (6)

Dear Netani

Thank you very much for your enquiry

Observers can deploy tag seeding kits if they already do a good observer work

Tag seeding is not an easy task to do and we need entire collaboration from the observers. Thus observers need to show dedication to their work first.

After debriefing observer you consider that the observer has enough experience and he is ready to deploy tag seeding you can provide him a kit.

I don't think you have tag seeding kit available in Fiji Office I can send few kits that you can distribute to ROP obs.

Observers that are placed in Pago can deal with Gordon directly, other observers when they ready you can provide them with a kit if they get onboard purse seiners

Fo (b) (6) if they are placed on purse seiners you can provide them a kit

I checked (b) (6) tag seeding log shee b(3)MSA Fo (b) (6), could you ask hi b(3)MSA Maybe he had some issue he should put information in the comment section.

In attached you can find a manual for tag seeding, it give advises to the observer on how to do tag seeding. I will provide very soon a manual for observer debriefers and coordinators.

Shortly (I wait for replacement of stock) I will send you 10 seeding kits and manual so you can distribute them to the observers before their placement. Also when you provide the kit to the observer only give 1 kit to the observer and keep the rest in the office. Everytime you provide a kit you need to inform me by giving me details : kit number / obs name/ boarding date/ Obs trip id/ vessel name.

Regarding paiement for Observe (b) (6) stomach samples and for the tag seeding fro (b) (6) I am in discussion with our administration to set something with SPC Suva so paiement can be done easier. I will let you informed as soon I have update.

Also I have ask Timoci if it would be possible to check up wit (b) (6) to have an update to know if they still do sampling as I didn't get any feedback from them yet. If you could get in contact with them it would be fantastic. I will send them an email copied to you.

Thank you again Netani for your enquire and concern in supporting our tagging project if you are also able to help with biological sampling it would be fantastic
Regards,

Caroline SANCHEZ

Fisheries Technician Tuna Tagging

SPC/OFP/TEB, BP D5, 98848 Noumea Cedex, NEW CALEDONIA

Tel: +687 26 20 00 / Direct line: +687 24 22 27 , Fax: +687 26 38 18

E-mail: carolines@spc.int

web: www.spc.int/tagging



From: netani tavaga [mailto: (b) (6)]
Sent: mardi 25 janvier 2011 13:04
To: Caroline Sanchez; Anare Raiwalui; Ambrose Orianihaa; Apenisa Sauturaga
Subject: Fiji ROP

Dear Caroline,

In support of your Tagging Programs' Efforts, the Fiji ROP Observer Program would like to lend its observers to the efforts, for the year 2011.

They will be able to do this in relation to their placement duties.

Two of the observers listed below (high-lighted) have already participated in the tagging program and all four will be on

their second leg pertaining to observer placements. They will be able to participate on the tagging program as soon as they are deployed.

(b) (6) [REDACTED] (Standby)

(b) (6) [REDACTED] (Just Returned)

b(3)MSA [REDACTED] (Standby)

(b) (6) [REDACTED] (Placement in Manila)

The following Observers are on placement in Pagopago and will be able to assist in the tagging program once they are on their **second placement trip**.

(b) (6) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I hope that this is acceptable to the Tagging Programs' Efforts and i look forward to a favourable reply.

Sincerely,

Netani.

Certificate of Death

AMERICAN SAMOA

21-51-28
Hospital Number

2016531
Certificate Number

(1) Name of Deceased First Middle Last			(2) Date of Death Month Day Year		
USAIA MASIBALAVU			MAY 21, 2016		
(3) Place of Death F/V WESTERN PACIFIC (AT SEA)			(4) Usual Residence:		
Village		D.O.A. (X)	Village		LOMALOMA, FIJI
District		Hospital ()	District		
(5) Sex:	Male (X) Female ()	(6) Race: FIJIAN	(7) Single () Married (X) Widowed () Divorced ()	(8) Occupation OBSERVER	
(9) Date of Birth Mo. Day Yr.			(10) Age (Yrs)	If under 1 Yr.	If under 24 hours
(b) (6)			a. (b) (6)	b. Mo ___ Days ___	c. Hr ___ Mins ___
(11) Birthplace FIJI			(12) Nationality FIJIAN		
(13) Father's Name (b) (6)			(14) Mother's Name (b) (6)		
(15) Accident Suicide Homicide	(16) Place of Injury Village District		(17) At Work Yes (X) No ()	(18) Autopsy Yes (X) No ()	
(19) Time of Death 9:45 A.M. P.M.			(20) Informant: PATIENT'S CHART Name: Signature:		

(21) I HEREBY CERTIFY THAT I have () have not (X) attended the deceased: that death occurred on the date state below and the best of my knowledge, from the cause stated below: the deceased was: (X) seen () not seen by me after death

(22) CAUSE OF DEATH	Approximate interval between onset and death
(i) Disease or condition leading to death (a) DIFFUSE ALVEOLAR HEMORRHAGE AND PULMONARY EDEMA Due to (or as a consequence of)	1 DAY
Antecedent Causes: (Morbid conditions, if any, giving rise to the above cause, stating the underlying condition last). (b) RIGHT CHRONIC PLEURITIS AND FIBROSIS, SUPERIOR VENA CAVA INTRALUMINAL FIBROSIS Due to (or as a consequence of)	MORE THAN 1 MONTH
(ii) Other significant conditions: (Contributing to death but not related to the disease or condition causing it). (c) AORTIC AND MITRAL VALVULAR DISEASE ATHEROSCLEROSIS OF AORTA AND CORONARY ARTERY DISEASE	MORE THAN 1 YEAR

CERTIFIED TO BE TRUE COPY

IOTAMO T. SALEAPAGA, M.D.
Chief Medical Officer

AMOR B. GONZALES, M.D.
SIGNATURE (PHYSICIAN)

(23) REGISTRAR: *[Signature]*
REGISTRAR, VITAL RECORDS
GOVERNMENT OF AMERICAN SAMOA

Date Filed by Registrar **06/14/16**

From: Michael Marsik - NOAA Federal
<michael.marsik@noaa.gov>
To: Liz Mitchell <emitch@efn.org>
Cc: Stephen Kostelnik
<steve.kostelnik@noaa.gov>; John Kelly - NOAA Federal
<john.d.kelly@noaa.gov>; Stuart Arceneaux - NOAA Federal
<stuart.arceneaux@noaa.gov>
Bcc:
Subject: Re: Usuai Masibalavu
Date: Thu Oct 20 2016 08:46:44 HST
Attachments:

Good Morning Elizabeth

Fair enough

You have been pointed in the right direction by Steve.

I do not wish to discuss the factors surrounding Mr Masibalavu's passing with you.

If you need anything, please contact my direct supervisor, Mr John Kelly.

Thank you & have a nice day

Michael Marsik
American Samoa Observer Program
Office 684.633.3971 - Mobile 684.256.9339
www.fpir.noaa.gov/OBS/obs_american_samoa.html

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Good morning Michael and all,

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Thanks,

Liz Mitchell

On Oct 20, 2016, at 9:38 AM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:

Good Morning Elizabeth

On the heart attack question:

Could you please let us know which various NOAA officials were aware of a heart attack with Mr Masibalavu? That would help us as well. We would like to pool together all of the persons with knowledge of this, to provide a clearer understanding of the incident.

Thank you

Michael Marsik
American Samoa Observer Program
Office 684.633.3971 - Mobile 684.256.9339
www.fpir.noaa.gov/OBS/obs_-american_samoa.html

On Thu, Oct 20, 2016 at 4:58 AM, Liz Mitchell <emitch@efn.org> wrote:

Hi Stephen and Michael,

I'm from the Association for Professional Observers. I've known Joe and John for many years, so wanted to introduce myself to you both. APO advocates for observer safety, among other things.

I have received news of the death of a Fijian observer, Usaia Masibalavu, who died while working as an observer on the US purse seine vessel. I received the death certificate which indicates bleeding of the lungs as the cause of death. However, various Fijian and NOAA officials are reporting that he died of a heart attack. I have talked with three different US physicians who all agree that this death certificate does not imply a heart attack as the cause of death. It says that the cause of death was bleeding of the lungs (diffuse alveolar hemorrhage and pulmonary edema). One physician stated that a heart attack would not cause this condition. Can any of you possibly explain this discrepancy in the cause of death?

Also, I heard that he was found at the bottom of some stairs three days after his death. This is suspicious to me. I would think if an observer didn't show up at their station, an onboard investigation would ensue immediately I was wondering if it is possible for me to see the autopsy report. Were any forensic toxicology studies done?

Yet another version of his death emerges: Usaia reported in his standard data report on Wednesday, May 18, that he sustained a knee injury. On Friday, May 20, the captain called in (to who?) to report that Usaia had complained that day of dizziness and blurry vision and that they were going in. But then the next day he died before they reached the dock.

I have several questions:

1. What sort of autopsy was performed?
 2. Did they do the necessary toxicology screenings?
 3. Did the captain administer medication to Usaia for his knee or other injury?
 4. Did the autopsy indicate a knee injury and confirm time of injury?
 5. Was there a heart attack?
 6. Is there an investigation into the cause of death?
-

7. What information has been provided to his wife?

Thanks very much for any information you can provide.

Elizabeth Mitchell
Association for Professional Observers
PO Box 933
Eugene, Oregon 97440
Tel: 541-344-5503
Tel: 541-515-3716
E-mail: emitch@efn.org
APO E-mail: apo@apo-observers.org
Web: www.apo-observers.org

Apenisa Sauturaga

From: Apenisa Sauturaga
Sent: Saturday, April 9, 2016 2:44 PM
To: Michael Marsik - NOAA Federal
Cc: Ambrose Orianiha'a; Fredrick Austin Anii; Steve Kostelnik; Lyndsay Mundri; Alitia Bainivalu; timoci tavusa; John Kelly - NOAA Federal
Subject: Re: ITINERARY NEEDED! This Morning

Thanks and much appreciated

Apenisa

On Sun, Apr 10, 2016 at 12:19 PM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:
His new vessel was happy to receive him.

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Sat, Apr 9, 2016 at 1:16 PM, Apenisa Sauturaga (b) (6) wrote:
Thanks Michael for the arrangement of Usaia

Vinaka

Apenisa

On Sun, Apr 10, 2016 at 9:25 AM, Ambrose Orianiha'a <ambrose.orianihaa@ffa.int> wrote:
Hi Mike.

Thanks for this update.

Yes, it was a mistake on our part as he (Usaia) was initially assigned for a trip out from Kiritimati but things did not term out as expected.

Fine with your arrangement for now but will use him for only a trip and move him from Pago.

Regards,
Ambrose

On Sun, Apr 10, 2016 at 4:55 AM, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:
Fredrick & Ambrose

Please be advised that Usaia arrived yesterday.

When he was being delivered to the vessel, he noted that he was assigned to the same vessel which he was instrumental on establishing charges of shark finning, which he did observe in 2009. I then spent

over half a day trying to work the logistics of swapping him out. This is a situation where the observer must be switched.

I do not have access to the information regarding previous trips' (& observers) enforcement activity. This should be discussed on a National Program level, at least within the FFA. I find it strange that you will hesitate- double and triple thinking your decision- and most of the time will not put female observers on vessels when they are available to work, but will throw an observer to the wolves without considering that you are assigning him to a potentially hostile working environment.

In addition, I do not feel comfortable telling the other vessel we need to do a second placement so we can put a guy that reported another vessel on yours because it might not be safe for him over there. I made up a lie and told the captain that you (FFA) messed up the logistics. I don't think he bought it.

Usaia has been re-assigned to the WESTERN PACIFIC
(b) (6) has been re-assigned to the KOORALE

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Wed, Apr 6, 2016 at 11:47 AM, Fredrick Austin Anii <fredrick.anii@ffa.int> wrote:

Michael
noted

Sue
please advise on flight itinerary for pax Usaia

thanks

On 7 April 2016 at 05:03, Michael Marsik - NOAA Federal <michael.marsik@noaa.gov> wrote:
I can't do anything without a copy of Masibalavu's itinerary.

Michael Marsik
American Samoa Observer Program
Office [684.633.3971](tel:684.633.3971) - Mobile [684.256.9339](tel:684.256.9339)
www.fpir.noaa.gov/OBS/obs_american_samoa.html

On Tue, Apr 5, 2016 at 6:20 PM, Fredrick Austin Anii <fredrick.anii@ffa.int> wrote:

Michael
see attached permit request for observer Usaia in replacement fo (b) (6)

thanks

On 6 April 2016 at 15:41, Fredrick Austin Anii <fredrick.anii@ffa.int> wrote:

Mike
will sent you entry request for observer Usaia in replacement f (b) (6) please cancel all processing for him

rgds

On 6 April 2016 at 09:19, Ambrose Orianiha'a <ambrose.orianihaa@ffa.int> wrote:
Hi Steve and Mike.

Please see attached permit application for observer M (b) (6) for FV Koorale (trip ID (b) (3)

Regards.
Ambrose

--

Fredrick Anii
Observer placement coordinator (OPC)
Observer program
phone:677 21124 ext 220
cell phone:677 7449836

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AGREEMENT TO SHIP GOODS 219170

PAGO OFFICE

CARRIER: LIBA LIGA SERVICES STEPHEN FOSTER S. CAS
 CONSIGNEE: USAIA MASIBALAVU
 PORT OF LOADING: PAGO ADDRESS: AW
 SCHEDULED DATE OF SHIPMENT: 6/23/16 PORT OF DISCHARGE: AW
 NO. OF PACKAGES: 1 VESSEL: FAST V114

Mark or Address:	Description of Package	Gross Weight	Cubic Measurement
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1 CASKET: (Human Remains)
 (DECEASED: USAIA MASIBALAVU)

FREIGHT: US. \$ 175.00 RECEIPT NO: 103478

CONDITIONS OF CARRIAGE

The shipper agrees to ship the goods in accordance with the laws of Western Samoa. The general statutory conditions of carriage are contained in the

SEA CARRIAGE OF GOODS ORDINANCE 1960
 CARRIERS ACT 1975

In addition the following shall apply:

1. Delivery at the port of discharge will be granted only in exchange for this stamped document.
2. All duties and/or customs charges shall be the responsibility of the shipper.
3. The shipper shall declare all inflammable or dangerous cargoes, (for example, petrol, ammunition, explosives acids poisons, (etc). A shipper shall be liable for all damage and loss caused by such cargo that has not been so declared
4. The carrier may at any time refuse the carriage of any particular cargo without giving reason
5. The carrier shall not be liable for any loss suffered by the shipper or consignee or any persons whosoever whether or not due to negligence of the carrier and/or his servants or his agents in failing to carry the goods on any particular voyage.
6. If any non perishable cargo is not collected by the shipper within 24 hours of arrival, the carrier may either - (a) Place such cargo in bond at the Port of Discharge and such handlings, bond and other charges shall be at the loss of the shipper: or (b) return such cargo to the Port of Shipment at the freight loss to the shipper and store such cargo in such manner as the carrier deems fit at the handling and storage cost to the shipper.
 If in either (a) or (b) above a notice has been dispatched by normal post to the last known address of the shipper and such cargo remains uncollected for a period of ten (10) days thereafter, if the cargo has any real value, the carrier may sell the cargo by tender negotiated sale or otherwise and apply the price to charges incurred in respect of their cargo or any other account incurred by or on behalf of the shipper.
7. If any perishable cargo or any cargo that does not have any real value is not collected within 24 hours of arrival at the Port of Discharge, the carrier shall treat the cargo as in paragraph 6 above. When the cargo perishes or loses all value that cargo may be destroyed at such time and in such manner as the carrier deems appropriate at the cost to the shipper.
8. The shipper shall DECLARE to the carrier the contents of any repack(s). The carrier reserves the right to refuse the carriage of any repacks(s) should the shipper fails to abide by the stipulation of this clause.
9. This bill of lading cannot be refunded after one month from the date of issue and all refunds are subject to 25% deduction.
10. This bill of lading is valid only for two months from the date of issue.

AT PAGO the 17th day of June 2016

THE SHIPPER: _____ THE CARRIER: [Signature]

Certificate of Death

AMERICAN SAMOA

21-51-28

Hospital Number

2016531

Certificate Number

(1) Name of Deceased First: USAIA Middle: MASIBALAVU Last: MASIBALAVU			(2) Date of Death Month: MAY Day: 21 Year: 2016					
(3) Place of Death F/V WESTERN PACIFIC (AT SEA)			(4) Usual Residence: Village: LOMALOMA, FIJI					
Village: _____ D.O.A. <input checked="" type="checkbox"/> () District: _____ Hospital <input type="checkbox"/> ()			District: _____					
(5) Sex: Male <input checked="" type="checkbox"/> () Female <input type="checkbox"/> ()		(6) Race: FIJIAN		(7) Single <input type="checkbox"/> () Married <input checked="" type="checkbox"/> () Widowed <input type="checkbox"/> () Divorced <input type="checkbox"/> ()		(8) Occupation: OBSERVER		
(9) Date of Birth: Mo. _____ Day _____ Yr. _____ (b) (6)			(10) Age (Yrs): a. (b) (6)		If under 1 Yr. b. Mo. _____ Days _____		If under 24 hours c. Hr. _____ Mins _____	
(11) Birthplace: FIJI			(12) Nationality: FIJIAN					
(13) Father's Name: (b) (6)			(14) Mother's Name: (b) (6)					
(15) Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide <input type="checkbox"/>		(16) Place of Injury Village: _____ District: _____		(17) At Work: Yes <input checked="" type="checkbox"/> () No <input type="checkbox"/> ()		(18) Autopsy: Yes <input checked="" type="checkbox"/> () No <input type="checkbox"/> ()		
(19) Time of Death: <u>9:45</u> A.M. _____ P.M.			(20) Informant: PATIENT'S CHART Name: _____ Signature: _____					

(21) I HEREBY CERTIFY THAT I have () have not (X) attended the deceased: that death occurred on the date state below and the best of my knowledge, from the cause stated below: the deceased was: (X) seen () not seen by me after death

(22) CAUSE OF DEATH	Approximate interval between onset and death
(I) Disease or condition leading to death (a) SEPTIC AORTIC VALVE ENDOCARDITIS Due to (or as a consequence of)	1-2 DAYS
Antecedent Causes: (Morbid conditions, if any, giving rise to the above cause, stating the underlying condition last). (b) PULMONARY CONGESTION AND EDEMA Due to (or as a consequence of)	2-3 DAYS
(II) Other significant conditions: (Contributing to death but not related to the disease or condition causing it). (c) LEFT KNEE SEPTIC ARTHRITIS CHRONIC MITRAL VALVULAR DISEASE, CORONARY - ATHEROSCEROSIS, THICKENED (FOCAL) SUPERIOR VENA CAVA, RIGHT LUNG - FIBROSIS	3-5 DAYS MORE THAN 1 YEAR

CERTIFIED TO BE TRUE COPY

Amor Gonzales
AMOR GONZALES, M.D.
SIGNATURE (PHYSICIAN)

IOTAMO T. SALEAFAGA, M.D.
Chief Medical Officer

(23) REGISTRAR:

Signature *for [Signature]*

for [Signature]
REGISTRAR, VITAL RECORDS
GOVERNMENT OF AMERICAN SAMOA

Date Filed by Registrar **06/20/16**



DEPARTMENT OF HEALTH
AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
BURIAL TRANSMIT PERMIT

NAME OF PERSON REQUESTING PERMIT: STEPHEN KOSTELNIK

FULL NAME OF DECEASED: USAIA MASIBALAVU

DATE AND CAUSE OF DEATH: MAY 21, 2016/ CARDIAC ARRYTHMIA/ DIFFUSE ALVEOLAR HEMORRHAGE AND PULMONARY EDEMA

PLACE OF DEATH: F/V WESTERN PACIFIC (AT SEA)

PLACE AND DATE OF EMBALMING: LBJ TROPICAL MEDICAL CTR / June 14, 2016

NAME/ADDRESS OF FUNERAL HOME AT DESTINATION OF ARRIVAL: BODY WILL TRANSPORT TO SAMOA BY FOTU O SAMOAI 6/23/16, AND DEPART FROM SAMOA TO SUVA FIJI 6/26/16.

DATE OF TRAVEL / TRANSPORT: JUNE 23, 2016

APPROVED:



Dr. Joseph Tufa
MEDICAL DIRECTOR
AMERICAN SAMOA GOVERNMENT

MUST ATTACH COPY OF DEATH CERTIFICATE AND MORTICIAN'S NOTARIZED STATEMENT OF EMBALMING

******* OFFICE USE ONLY *******

PERMIT DATE: 6/16/16	Bp #: 2016-616
	PREPARED BY: F Faumuina

DEPARTMENT OF HEALTH
AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
VERIFICATION OF NON-CONTAGIOUS DISEASE FOR DEATH

June 16, 2016

TO WHOM IT MAY CONCERN:

This letter is to confirm that Usaia Masibalavu did not die of any contagious diseases here in American Samoa. It further authorize the human remains to be transport to Samoa on June 23, 2016 by Fotu o SamoaII, and depart for Suva Fiji June 26, 2016.

If you should have any further inquiries, please contact my office during normal working hours.

Respectfully,



Dr. Joseph Tufa, MO
Medical Director

ENC: BURIAL PERMIT



LBJ Tropical Medical Center

P.O. Box LBJ
Pago Pago, American Samoa 96799



Date: June 14, 2016

VERIFICATION OF EMBALMER

To Whom It May Concern

I, Fagaalu Siaki, an Embalmer for LBJ Tropical Medical Center, have Sanitized and embalmed the remains of a person encased herein, identified
As; Usaia Masibalavu

Arterial embalming has been completed. Both thoracic and abdominal cavities have been aspirated and treated with fluid. I further state that there are no foreign objects such as firearms, explosions and ammunitions within this container. I also state that there are no drugs related paraphenalia being moved with this Body.

Note : This body has been placed in a hermitically sealed casket. The casket has been encased in as air-tray as required by airline regulations.

EMBALMER

For- Fagaalu Siaki

