

A RESOLUTION

Expressing profound concern over multiple violations of the Financial Management Act and the National Public Service System Act by the Executive Branch, and urging the President of the Federated States of Micronesia to remove those cabinet officials responsible.

1 WHEREAS, the Financial Management Act, 55 F.S.M.C. 201, et
2 seq., was enacted to ensure effective control by the Government of
3 the Federated States of Micronesia over income, expenditures,
4 funds, property, and other assets, in accordance with the National
5 Budget; and

6 WHEREAS, to further this aim, the Financial Management Act,
7 at 55 F.S.M.C. 221, prohibits officers or employees of the
8 Federated States of Micronesia from making or authorizing any
9 expenditure in excess of the sum made available by law, or in
10 advance of the availability of funds, or for purposes other than
11 those for which an allotment has been made; and

12 WHEREAS, in recent hearings, Congress has heard testimony
13 that during Fiscal Year 2010 the Registrar of Corporations has
14 reclassified staff positions without adequate funding; that the
15 Division of Immigration and the National Police have made overtime
16 payments with monies allocated to regular salaries; that the
17 National Department of Education has spent funds that had not been
18 appropriated; and that the Department of Finance has issued
19 payroll checks for the National Department of Education despite no
20 funds being available in the relevant personnel budget; and

1 WHEREAS, the National Public Service System Act, 52 F.S.M.C.
2 111 et seq., was enacted to ensure the impartial selection of the
3 ablest person for public service by means of tests which are fair,
4 objective, and practical, and to provide equal opportunity for all
5 regardless of sex, race, religion, political affiliation,
6 ancestry, or place of origin; and

7 WHEREAS, to further these aims, the National Public Service
8 System Act, at 52 F.S.M.C. 32, provides that positions shall be
9 recruited by advertisement, for the period and by the media which
10 are appropriate in the circumstances; and

11 WHEREAS, the recent vacancy for Chief of the National Police
12 was filled without any such advertisement being placed; now,
13 therefore,

14 BE IT RESOLVED by the Sixteenth Congress of the Federated
15 States of Micronesia, Fifth Regular Session, 2010, that Congress
16 hereby expresses its profound concern over these violations of the
17 Financial Management Act and National Public Service System Act;
18 and

19 BE IT FURTHER RESOLVED that Congress urges the President to
20 remove the cabinet officials responsible for these violations and
21 to ensure that the Financial Management Act and National Public
22 Service System Act are complied with in the future; and

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1 BE IT FURTHER RESOLVED that a certified copy of this
2 resolution be transmitted to the President of the Federated
3 States of Micronesia.

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5 Date: 9/22/10

Introduced by /s/ Fredrico O. Primo
Fredrico O. Primo

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