

STANDING COMMITTEE REPORT NO. 16-113

RE: C.B. NO. 16-149/W&M

SUBJECT: Amendment on use of appropriated personnel funds for the  
Department of Justice

October 5, 2010

The Honorable Isaac V. Figir  
Speaker, Sixteenth Congress  
Federated States of Micronesia  
Fifth Regular Session, 2010

Dear Mr. Speaker:

Your Committee on Ways & Means, to which was referred C.B. No. 16-149,  
entitled:

"A BILL FOR AN ACT TO AMEND PUBLIC LAW NO. 16-43 BY AMENDING  
SECTION 2 THEREOF TO CHANGE THE USE OF CERTAIN FUNDS IN  
ORDER TO PROVIDE FOR THE PAYMENT OF WAGES AND OVERTIME FOR  
FISCAL YEARS 2010 AND 2011 FOR DIVISIONS OF THE DEPARTMENT  
OF JUSTICE, AND FOR OTHER PURPOSES.,

begs leave to report as follows:

The bill before your Committee on Ways and Means is to clarify the  
approved uses of appropriated personnel funding for the Department of  
Justice, Division of Immigration and Labor and Division of National  
Police. The bill does not increase or decrease total funds  
appropriated for fiscal year 2011.

The bill changes the use of approximately \$107,000 out of the total of  
\$2,197,610 appropriated for Department of Justice personnel. The  
\$107,000, which was appropriated for fiscal year 2011, was to be used  
to pay overtime accrued but unpaid during fiscal year 2010. However,  
Congress, in Congressional Bill No. 16-146 (Public Law No. 16-42),  
appropriated \$141,236 in supplemental funds for fiscal year 2010 to  
the Department of Justice for personnel. These funds were to be used  
to pay regular wages and salaries owing to employees in the Divisions  
of Immigration and National Police. Your Committee has since learned  
that approximately \$133,000 of this amount was allocated to the  
Division of Immigration and Labor for regular wages and overtime owing  
for fiscal year 2010. After this allocation approximately \$7,000  
remained for National Police, leaving certain of their employees'

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regular wages unpaid.

This bill amends and specifies the approved uses of personnel funds to reflect the allocation of approximately \$133,000 of the funds appropriated in Public Law No. 16-42 to the Division of Immigration. Without the amendment, the Division of National Police will remain under funded while the Division of Immigration will receive more overtime funds than were intended.

Specifically, the bill limits the amount for both regular wages and overtime for both fiscal years 2010 and 2011. Of the total amount appropriated for Department of Justice personnel for fiscal year 2011 up to \$66,000 may be used for regular wages earned and overtime accrued in fiscal year 2010 for the National Police, and only \$41,000 can be used for fiscal year 2010 overtime for Immigration and Labor. The bill then clarifies the limits on 2011 overtime of both Divisions by stating these amounts are for 2011 overtime only.

Your Committee considers the current total appropriation, if used properly, to be sufficient. Your Committee does not recommend appropriating additional funds to cover unapproved wage increases.

**Committee Recommendation**

Your Committee on Ways and Means recommends changing the use of funds appropriated under personnel for Divisions of the Department of Justice. Your Committee is in accord with the intent and purpose of C.B. No. 16-149 and recommends its passage on First Reading, and that it be placed on the calendar for Second and Final reading in the form attached hereto as C.B. No. 16-149.

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Respectfully submitted,

/s/ Dohsis Halbert  
Dohsis Halbert, chairman

Claude H. Phillip, vice chairman

/s/ Roger S. Mori  
Roger S. Mori, member

/s/ Dion G. Neth  
Dion G. Neth, member

/s/ Setiro Paul  
Setiro Paul, member

Peter S. Sitan, member

/s/ Joseph J. Urusemal  
Joseph J. Urusemal, member