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.

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

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

WHEREAS, in recent hearings, Congress has heard testimony that during Fiscal Year 2010 the Registrar of Corporations has reclassified staff positions without adequate funding; that the Division of Immigration and the National Police have made overtime payments with monies allocated to regular salaries; that the National Department of Education has spent funds that had not been appropriated; and that the Department of Finance has issued payroll checks for the National Department of Education despite no funds being available in the relevant personnel budget; and
WHEREAS, the National Public Service System Act, 52 F.S.M.C. 111 et seq., was enacted to ensure the impartial selection of the ablest person for public service by means of tests which are fair, objective, and practical, and to provide equal opportunity for all regardless of sex, race, religion, political affiliation, ancestry, or place of origin; and

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

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

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

BE IT FURTHER RESOLVED that Congress urges the President to remove the cabinet officials responsible for these violations and to ensure that the Financial Management Act and National Public Service System Act are complied with in the future; and
BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the President of the Federated States of Micronesia.

Date: 9/22/10  Introduced by /s/ Fredrico O. Primo
Fredrico O. Primo