



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 17-19
FSM CONGRESS

June 29, 2011

The Honorable Isaac V. Figir
Speaker
17th FSM Congress
Palikir, Pohnpei State, FM 96941

Dear Speaker Figir:

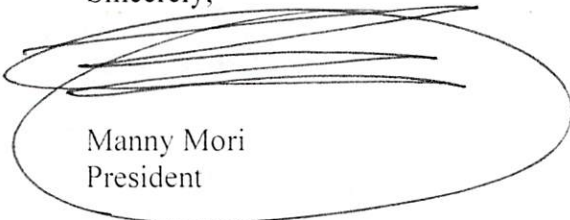
I am pleased to transmit Congressional Act No. 17-02, entitled,

“AN ACT TO AMEND SECTION 207 OF TITLE 2 OF THE CODE OF THE
FEDERATED STATES OF MICRONESIA, AS AMENDED, FOR THE PURPOSE
OF REQUIRING CONGRESSIONAL ACTION ON PRESIDENTIAL
NOMINATIONS WITHIN TWO CONSECUTIVE SESSIONS OF CONGRESS OR
30 DAYS OF NOMINATION, WHICHEVER OCCURS LATER, OR THE
NOMINEE IS DEEMED REJECTED, AND FOR OTHER PURPOSES.”

which I have signed to become **Public Law No. 17-02** pursuant to section 22, title IX of the constitution. Attached to this transmittal is a signing statement that explains the basis for the approval. The signing statement is incorporated herein by reference and shall serve as part of the general intent and guideline of implementation for the Executive Branch.

I take this opportunity to thank you and all the members of Congress for passing this innovative measure.

Sincerely,



Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM





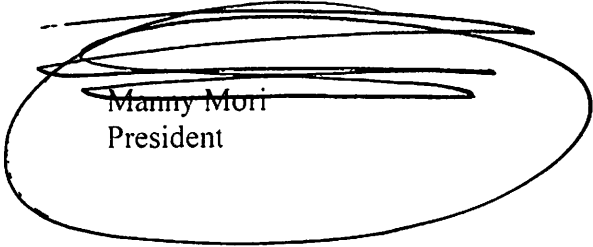
The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL STATEMENT ON THE SIGNING OF CONGRESSIONAL ACT NO. 17-02: "AN ACT TO AMEND SECTION 207 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, FOR THE PURPOSE OF REQUIRING CONGRESSIONAL ACTION ON PRESIDENTIAL NOMINATIONS WITHIN TWO CONSECUTIVE SESSIONS OF CONGRESS OR 30 DAYS OF NOMINATION, WHICHEVER OCCURS LATER, OR THE NOMINEE IS DEEMED REJECTED, AND FOR OTHER PURPOSES."

Congressional Act No. 17-02 has for its primary intent the expeditious scrutiny by Congress of nominations to the various executive positions which by law are subject to the advice and consent of Congress. The shorter the period of time for Congress to either confirm or not confirm the nominees, the faster it is for the Executive branch to organize and commence its actual work.

The Act reduces the number of sessions of Congress within which to consider nominations to include the session in which Congress first receives a nomination. The Act further reduces the period from 90 days to 30 days. Of the two periods provided, the period that occurs later in time shall serve as basis in determining whether a nomination is deemed rejected by Congress.

I assume that within the periods of time that the nominees should be considered, Congress will ultimately take a vote on whether to give consent or not to each of the nominees. This is the most expeditious way that Congressional scrutiny – which is essential in this particular process of appointment – is carried out. On this basis, and upon this assumption, I completely agree with the congressional intent of this innovative piece of legislation, hence, I have signed Congressional Act No. 17-02 to become a public law. If my understanding as expressed herein is not in agreement with the sense of Congress, I intend to submit a further amendment to the appointment process during the July 2011 special session of Congress.



Manny Mori
President



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3
Palikir, Sokehs
Pohnpei State, FM 96941
Tel: (691) 320-2324 / 2338
Fax: (691) 320-5122

Office of the Chief Clerk

June 01, 2011



His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

I have the honor to transmit herewith Congressional Act No. 17-02, "AN ACT TO AMEND SECTION 207 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, FOR THE PURPOSE OF REQUIRING CONGRESSIONAL ACTION ON PRESIDENTIAL NOMINATIONS WITHIN TWO CONSECUTIVE SESSIONS OF CONGRESS OR 30 DAYS OF NOMINATION, WHICHEVER OCCURS LATER, OR THE NOMINEE IS DEEMED REJECTED, AND FOR OTHER PURPOSES.", which was passed by the Seventeenth Congress of the Federated States of Micronesia, First Regular Session, 2011, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink is written over the "Sincerely yours," line. The signature appears to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures



SEVENTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST REGULAR SESSION
MAY 11 – JUNE 1, 2011

PUBLIC LAW No. 17- 02

An Act

TO AMEND SECTION 207 OF TITLE 2 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, FOR THE PURPOSE OF REQUIRING CONGRESSIONAL ACTION ON PRESIDENTIAL NOMINATIONS WITHIN TWO CONSECUTIVE SESSIONS OF CONGRESS OR 30 DAYS OF NOMINATION, WHICHEVER OCCURS LATER, OR THE NOMINEE IS DEEMED REJECTED, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL

DATE: MAY 12, 2011

REFERRED TO: COMMITTEE ON WAYS AND MEANS

S.C.R. NO. 17-02 – MAY 23, 2011

FIRST READING: MAY 27, 2011

SECOND READING: MAY 30, 2011

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J + Go Com.

Low

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Speaker

ACT NO. 17-02

(CONGRESSIONAL BILL NO. 17-08, C.D.1)

We hereby certify that on May 30 the foregoing act passed
Second and Final Reading of the Seventeenth Congress of the
Federated States of Micronesia, First Regular Session,
2011, by a two-thirds vote of all the State delegations as
required under article IX, section 20, of the Constitution
of the Federated States of Micronesia.

A handwritten signature in black ink, appearing to read "Isaac V. Figir".

Isaac V. Figir
Speaker
Congress of the
Federated States of Micronesia

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis
Chief Clerk
Congress of the
Federated States of Micronesia

SEVENTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2011

CONGRESSIONAL BILL NO. 17-08, C.D.1

PUBLIC LAW No. 17-02

AN ACT

To amend section 207 of title 2 of the Code of the Federated States of Micronesia, as amended, for the purpose of requiring congressional action on Presidential nominations within two consecutive sessions of Congress or 30 days of nomination, whichever occurs later, or the nominee is deemed rejected, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 207 of title 2 of the Code of the
2 Federated States of Micronesia, as amended by Public Laws Nos.
3 10-55, 11-40, 13-77, 15-23, and 16-61, is hereby further amended
4 to read as follows:

5 "Section 207. Appointing Authority.

6 (1) The President shall nominate and, with the
7 advice and consent of the Congress, as provided in
8 article X, section 2(d), of the Constitution, shall
9 appoint ambassadors, the secretaries of departments
10 and their deputies, if any, and the head of the office
11 of the Public Defender, including the secretaries, and
12 heads of departments and offices established by
13 subsequent law; and including the chairman and the
14 members of the Board of Advisors for the Investment
15 Development Fund to be appointed by the President; and
16 including the Federated States of Micronesia members
17 of the Board of Regents of the College of Micronesia;
18 and including the Federated States of Micronesia's

PUBLIC LAW No. 17-02

1 consul generals and the deputy chiefs of mission of
2 the various embassies and diplomatic missions.

3 (2) The President or his or her designee may appoint
4 officers and employees not included in subsection (1)
5 of this section, without the advice and consent of the
6 Congress; provided that such appointments are not
7 inconsistent with the provisions of this chapter or
8 other laws of the Federated States of Micronesia.

9 (3) Any nomination submitted to Congress which is
10 not confirmed within two (2) consecutive sessions of
11 Congress, including the session in which Congress
12 first receives the nomination, or thirty (30) days,
13 whichever occurs later in time, shall be deemed
14 rejected. A nomination submitted when Congress is not
15 in session shall, for the purposes of this section, be
16 deemed to have been received on the first day of the
17 following session. The President shall not resubmit
18 the nomination of any person to the Congress for its
19 action if the same Congress shall have previously
20 rejected such nomination, unless the Congress shall by
21 resolution authorize such resubmission.

22 (4) With the exception of the Chief Justice and
23 Associate Justices of the Supreme Court, the Public
24 Auditor, members of boards, commissions, and other
25 entities with fixed terms, a public official whose

10 Section 2. This act shall become law upon approval by the
11 President of the Federated States of Micronesia or upon its
12 becoming law without such approval.

June 29, 2011

Manny Mori
President
Federated States of Micronesia