RE: P.C. NO. 18-253/J&GO

SUBJECT: FY 2015 BUDGET

MAY 30, 2014

The Honorable Dohsis Halbert Speaker, Eighteenth Congress Federated States of Micronesia Fourth Regular Session, 2014

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was jointly referred Presidential Communication No. 18-253, begs leave to report as follows:

Presidential Communication No. 18-253 concerns the National Government's proposed budget for fiscal year 2015 as set forth in the National Government Fiscal Year 2014 Proposed Budget ("Budget Book"). Pursuant to rule 7, section 4(b) of the Official Rules of Procedure of the Eighteenth Congress of the Federated States of Micronesia, your Committee has limited its review to those portions of the proposed budget relating to matters under its jurisdiction. These are:

- I. Operations:
- A. Department of Justice
- B. Office of the Public Defender
- C. National Judiciary
- D. Agencies, Boards, Authorities, Commissions & Corporations1. National Postal Services
- E. Special Programs
 - 1. National Election Commission Office
- II. Grants, Subsidies and Contributions:

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- A. Department of Justice
 - 1. States Joint Law Enforcement
 - 2. TIP (Capacity Building & Public Awareness)
 - 3. Fuel Subsidy
 - 4. Ammunition for Sidearm and Long Rifles
- B. States Judiciaries
- C. Micronesian Legal Services Corporation
- D. General Election (March 3, 2015)

III. Capital and Human Resources Development:

- A. FSM Supreme Court Information Technology Sys./Infra Development
- B. Department of Justice
 - 1. Patrol Boats Slipping
 - 2. Patrol Boats Major Maintenance Project
 - 3. New Radio Communication System
 - 4. Satellite Phone and Usage Billings
- C. National Election Commission Office
 - 1. Voter ID Card Project
 - 2. Public Education on Constitution Amendment
- D. Chuuk State Supreme Court Building Renovation Project

This report and all previous and subsequent reports by this Committee should be treated as policy for this Nation as defined by the Congress. It is your Committee's intent that any commentary found in this report should be treated as policy for the guidance of the relevant departments, agencies and offices.

Your committee conducted a series of public hearings following the convening of the Fourth Regular Session of the Eighteenth Congress on May 12, 2014. The report and recommendations that follow are based upon the information contained in the Budget Book and the input provided by witnesses at those hearings.

Your committee's findings and recommendations follow:

DISCUSSION OF FY 2015 BUDGET

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The appropriations discussed below are presented, by department, office and agency, in the order in which they appear in the Budget Book. The figures given for each department, office and agency include the figures from the budget book for the total amount appropriated by law for FY 2014, as set forth in Public Law No. 18-15, as amended, and the amount recommended by EBRC for each entity for FY 2015.

Your committee makes the following recommendations.

I. OPERATIONS

A. Department of Justice

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	2,185,029	2,177,299	2,184,529
Travel	163,306	151,730	156,048
Contract	214,103	187,258	309,160
OCE	226,770	259,270	326,125
Fixed	124,800	65,000	96,800
Assets			
Total	2,954,008	2,840,557	3,072,662
#	132	132	133
positions			

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Detail by Division

1. Administration, Office of the Secretary

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	119,717	119,717	119,217
Travel	28,968	21,710	21,710
Contract	39,000	48,000	46,000
OCE	22,600	22,600	22,600
Fixed	11,000	11,000	11,000
Assets			
Total	221,285	223,027	220,527
#	5	5	5
positions			

Personnel - Your committee notes that the position of Legal Secretary III has been downgraded to Legal Secretary I and has reduced the Personnel budget accordingly.

Travel - Your committee notes that this reduction is due to a lack of funding for unanticipated trips by the Secretary of Justice. While declining to fund them at this time, your Committee acknowledges the realistic need may arise for such a trip and invites the Administration to return to the Committee in that circumstance.

Contractual Services - Your committee notes that there is a \$3,000 reduction to the EBRC amount as the temporary office clerk has been eliminated. Your committee has inserted an additional \$1,000 for the Administration to use as part of their efforts to do background checks, as needed, on criminal deportees returning to the FSM. If additional funds are required in the future to conduct more criminal background checks, your committee invites the Administration to ask.

Other Current Expenses - Your committee notes this is the same amount as the FY2014 line and approves it as recommended by EBRC.

Fixed Assets - Your committee approves the Fixed Asset request for a copier, high-speed scanner, and projector as recommended by EBRC.

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Your Committee notes that the Division of Litigation and Division of Law, as in previous years, do not have fixed asset requests, as the fixed assets in Administration are shared with these divisions. Your Committee heard testimony that the copier and scanner appropriated last year are broke and need to be replaced. Your committee notes that three legal divisions are likely to process large amounts of paperwork. Printers and scanners dedicated to such a high amount of usage will break and need to be replaced.

FY 14 FY 15 EBRC FY 15 J&GO Appropriated Recommended Recommended 141,581 141,581 Personnel 141,581 Travel 41,795 41,795 41,795 Contract 12,000 12,000 12,000 OCE 10,000 10,000 10,000 Fixed 0 0 Assets Total 205,376 205,376 205,376 # 3 3 3 positions

2. Division of Litigation

Personnel - Your committee notes that the Personnel line is unchanged from FY2014, and approves the EBRC recommendation. Your committee is pleased to note that all these positions are in the process of being filled and look forward to the Division of Litigation being able to conduct its work fully staffed.

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Travel - Your committee notes this is the same amount as the FY2014 line and approves it as recommended by EBRC.

Contractual Services - Your committee notes that the Contractual Services line is unchanged from FY2014, and approves the EBRC recommendation.

Other Current Expenses - Your committee notes that the OCE line is unchanged from FY2014, and approves the EBRC recommendation.

Fixed Assets - There is no fixed asset request.

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3. Division of Law

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	188,774	188,774	188,774
Travel	30,656	30,656	30,656
Contract	0	0	0
OCE	10,000	10,000	10,000
Fixed	0	0	0
Assets			
Total	229,430	229,430	229,430
#	4	4	4
positions			

Personnel - Your committee notes this is the same amount as the FY2014 line and approves it as recommended by EBRC. Your committee again notes that all these positions are in the process of being filled and looks forward to the Division of Law conducting its work fully staffed.

Travel - Your committee notes that this is the same amount as the FY2014 line and approves the EBRC recommendation.

Contractual Services - There is no contractual services request.

Other Current Expenses - Your committee notes that the OCE line is unchanged from FY2014, and approves the EBRC recommendation.

Fixed Assets - There is no fixed asset request.

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4. Registrar of Corporations

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	33,909	33,909	33,909
Travel	17,096	17,096	17,096
Contract	3,500	3,500	18,596
OCE	7,800	7,800	7,800
Fixed	1,800	0	1,800
Assets			
Total	64,104	62,305	79,201
#	2	2	2
positions			

Personnel - Your committee notes that the Personnel line is unchanged from FY2014, and approves the EBRC recommendation. Your committee observes that the Assistant Registrar has seven (7) years of experience in that position and often undertakes significant responsibilities in that role, including serving as acting Registrar when the Registrar is away. Your committee encourages the ROC to work with the Office of Personnel in exploring a reclassification of this position to achieve a salary commensurate with the position's true responsibilities. Your committee asks ROC and Office of Personnel to submit their finding in a future session.

Travel - Your Committee notes that this line is unchanged from FY2014 and approves the EBRC recommendation.

Contractual Services - Your committee has increased this line from previous years and the EBRC recommendation by \$15,096. Of this, \$1,500 is added to the \$3,500 already recommended for their website, which is to be used to upgrade the website to allow better online service. Your committee finds an online portal that allows for corporate records searching is a valuable service and approves this additional \$1,500. The ROC is one of, if not the, first government institutions that businesses and investors considering the FSM will encounter, particularly online. Thus, anything that will improve the services of ROC in this capacity appear highly meritorious to your Committee. The remaining \$13,596 is for an office lease. Pursuant to recommendations made at the 2013 SNLC conference and other policy

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decisions, the ROC will now share an office space adjoining the Insurance Commissioner in Pohnpei. This recommendation was made as part of a plan to encourage developing the FSM as a more businessfriendly environment and having these two entities as neighbors is viewed as a valuable convenience to businesses. Your committee endorses this plan.

Other Current Expenses - Your committee approves the EBRC recommendation, noting this line is unchanged from FY2014.

Fixed Assets - Your Committee approves the fixed asset request for a high-speed scanner. Your committee notes that this is erroneously listed in the EBRC as a request for 2 laptops and an electric typewriter: last year's fixed asset request. The ROC had sent a correction to EBRC, but the request was already denied at that point. Again, your committee views improvements to the services of the Registrar of Corporations to the business community-at-large as a worthwhile investment.

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	460,344	460,334	460,334
Travel	20,356	20,356	20,356
Contract	77,758	77,758	77,758
OCE	95,370	89,870	110,522
Fixed	15,000	15,000	15,000
Assets			
Total	668,828	663,318	683,970
#	37	37	37
positions			

5. Division of Immigration and Labor

Personnel - Your committee notes that the Personnel line is effectively unchanged from FY2014, and approves the EBRC recommendation.

Travel - Your committee notes that this line is unchanged from FY2014 and approves the EBRC recommendation.

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Contractual Services - Your committee notes that this line is unchanged from FY2014 and approves the EBRC recommendation.

Other Current Expenses - Your Committee notes that this increase over the EBRC recommendation in the amount of \$20,652 has two components. One is an increase of \$5,000 in POL from \$15,000 to \$20,000, that testimony stated was necessary. The second component is a request for uniforms, plus shipping. Your committee heard testimony that the uniforms, including belts and shoes, for the Immigration Officers are years old and worn. Further, there is a need for safety equipment, such as hardhats and goggles, when Labor Officers conduct on-site OSHA inspections. Your committee endorses the policy of the Division to have officers in uniforms at all times they are on active duty. An officer in a pristine uniform commands respect, is more likely to receive compliance, and presents a professional appearance. Indeed, your committee notes that when a tourist visits the FSM, the first sight they see will be the uniformed Immigration Officers processing them into the country. The psychological value of a positive first impression in this regard is undeniable. Thus, your Committee approves the request for \$13,652 for uniforms, plus \$2,000 for shipping.

Fixed Assets - Your committee approves the request for three highspeed scanners. Your committee notes that these three high-speed scanners are to be dedicated solely for use in processing passports. Considering the recent difficulties experienced in processing passports, your committee endorses this fixed asset request.

6. National Police

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	1,240,704	1,232,984	1,240,714
Travel	24,435	20,117	24,435
Contract	81,845	46,000	154,806

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OCE		121,000		119,000		165,203
Fixed		97,000		39,000		69,000
Assets						
Total		1,564,984		1,457,101		1,654,158
#	80		80		81	
11						

Personnel - Your committee approves the requested additional hiring of one National Police Officer I at \$7,730. Your committee notes that, as in previous years, a significant portion of this line is the \$428,255 necessary for overtime pay. An issue that has come your committee's attention regards the National Police Officers' hours and salaries. Currently, virtually every police officer works a doubleshift and has done so for years. Your committee observes this is an untenable situation. Having on-duty police officers that are consistently tired endangers the safety of the officers and the public at large. Indeed, your committee heard testimony that a police vehicle was involved in a wreck when an officer on the tail end of a double shift fell asleep from exhaustion behind the wheel. At the same time, your committee also heard that most officers, particularly those who live far from Palikir and expend a significant portion (sometimes over 2/3rds) of their salary just travelling to and from work require double shifts to make ends meet. Thus, your committee invites the Department of Justice to present us with a plan as to how best address this situation.

Travel - Your committee notes this is the same amount as the FY2014. EBRC initially cut a trip involving the Bank Commissioner; however, testimony revealed that bank fraud has arisen as a serious issue just in the few months since the EBRC was compiled, and Finance and the President's Office were for the restoration of this trip. Thus, your committee restored the trip, bringing travel back to FY2014 levels.

Contractual Services - Your committee continues to support the Department of Justice's plan to add thirteen (13) positions to ensure the patrol boats, plus the FSS Unity, are fully manned. Requirements of seaworthiness mandate minimum levels of crew are on board each ship when it is at sea. The well being of the maritime officers as well as the safety of the ship and other vessels they might encounter necessitate these minimums are met. The Secretary has set a minimum of 225 days per year that patrol boats are at sea, though this has

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been exceeded in the last year, coming over 250 days at sea. This number does not count emergency runs, such as search and rescue or medical evacuation scenarios. Your committee notes that the reality is that crewmembers are sometimes sick, at a funeral, away for training, or otherwise indisposed, and extra bodies are required. Your committee believes the purpose of these additional hires is not to provide an opportunity for maritime surveillance officers to rest fallow on the shore, but to ensure that adequate crewmembers are available 24/7 when the need arises. Your committee heard testimony that there was an emergency within the last fiscal year that forced a boat to respond undermanned. Last fiscal year, the decision was made to try funding additional officers under contractual services to see how the additional positions worked out. As the enforcement increased and the boats were at sea for record numbers of days, the amount of infractions cited increased, and then dropped off as illegal fishing vessels learned the FSM was serious about patrolling its waters. While this drop off is good news, your committee observes that it will likely last only for as long as FSM vigorously patrols its waters. Your committee agrees with the President that conservation of the Nation's supply of fish should be a top priority. Thus, your committee supports funding additional maritime surveillance officers under contractual services, as in FY2014.

Other Current Expenses - Your committee has exceeded the EBRC recommendation by \$46,203. This increase has two components. The first is a \$15,000 increase of POL from \$10,000 to the requested \$25,000 that testimony reinforced is a necessary expenditure. The second is the purchase of new uniforms for National Police that totals \$28,203, plus \$3,000 for shipping. As stated above regarding uniforms for Immigration/Labor Officers, your committee finds that clean, new uniforms help officers achieve compliance, command the respect they are due, and present a professional appearance. Your committee approves the request on this basis.

Fixed Assets - Your committee approves the request for a high-speed scanner, 4 desktop computers, and police sidearms and longrifles. Currently, not all maritime surveillance officers are armed, although they should be when boarding vessels. This would facilitate the purchase of 22 Glock 9mm pistols and 8 AR-15 waterproof rifles to be used when boarding. Your committee notes a situation occurred in

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Palau where boarding officers were engaged in a gunfight and want our officers to be fully equipped if such a situation happened in our waters. Furthermore, the guns can be used with blank ammunition for ceremonial purposes, such as state funerals. The EBRC did not approve a \$90,000 request for three (3) new police vehicles. Based on testimony, your committee has funded one (1) new police vehicle for \$30,000. It should be noted that while \$25,000 is the normal amount for a new vehicle, an additional \$5,000 is needed for the police package upgrade to the vehicle (e.g., sirens).

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	636,694	619,942	619,942
Travel	72,401	46,070	72,401
Contract	55,350	74,039	74,039
OCE	75,100	54,800	77,400
Fixed	51,550	0	15,000
Assets			
Total	891,085	794,851	858,782
#	26	26	26
positions			

B. Office of the Public Defender

Personnel - Your committee approves the EBRC recommendation. Your committee recalls that in FY2014, Congress exceeded the EBRC recommendation for Personnel to eliminate four (4) Defender Representative positions and replace them with four (4) full-time Staff Attorney positions to ensure that every state office would have at least two (2) attorneys to represent the needs of its citizens. Your committee applauds the Office of the Public Defender for acting expeditiously to fill these positions and enact this plan to ensure the constitutional rights of FSM citizens are defended. Your committee further applauds that the Office was able to accomplish this for an amount less than the FY2014 budget.

Travel - Your committee keeps funding at FY2014 levels, in excess of the EBRC recommendation. This is the second year in a row that the EBRC has attempted to cut the Public Defenders Annual Conference from

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the budget. Your committee strongly believes this Annual Conference is an important event and will act to maintain it. Previously the Annual Conference was placed under Contractual Services, but this year the EBRC has placed it under Travel.

Contractual Services - Your committee approves the EBRC recommendation.

Other Current Expenses - Your committee restores the \$17,500 for Communications. Testimony was given that the amount recommended by the EBRC was inadequate to pay the phone bills for the four offices. Your committee also restores the \$25,000 for Supplies and Materials. Your committee does not find that cutting the Supplies and Materials budget for the Office responsible for defending the constitutional rights of the criminally accused is the proper way to seek savings. Testimony was also given that the Utilities budget of \$15,000 was inadequate to power the four offices, thus your committee puts an additional \$6,000 into OCE. Your committee does, however, encourage the Office of the Public Defender to take whatever steps are necessary to encourage conservation of power. Finally, your committee has subtracted \$1,200 from this line, the cost of Rental Services for a boat to service Chuuk, while approving the purchase of a boat for this purpose.

Fixed Assets - Your committee approves the fixed asset request for a new boat and engine in Chuuk. It is an undeniable part of the operations of the Public Defender's Office in Chuuk that they need to travel to outer islands to conduct interviews, investigate cases, and have other uses for a boat. The Office should be aware that in no case is this boat to be deployed for personal use. Purchase of this boat will allow a permanent reduction of \$1,200 per year from OCE, which is currently used to pay to rent a boat.

	FY 14 Appropriated	FY 15 EBRC Recommended	FY 15 J&GO Recommended
Personnel	777,912	777,521	777,521
Travel	147,015	147,015	147,015
Contract	120,300	118,900	166,094
OCE	175,306	175,306	190,806

C. National Judiciary

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Fixed	49,000	30,000	30,000
Assets			
Total	1,269,533	1,248,742	1,311,436
#	33	33	33
positions			

Personnel - Your committee approves the EBRC recommendation. Your committee observes that it would be appropriate to move the SSC work of Larry Wentworth from Personnel to Contractual Services in the amount of \$47,194. Rather than reduce the positions at the National Judiciary from 33 to 32, your committee leaves the budget intact for the FSM Supreme Court to fill with another Staff Attorney.

Travel - Your committee notes the amount is unchanged from FY2014 and approves the EBRC recommendation.

Contractual Services - Your committee observes that it would be appropriate to move the SSC work of Larry Wentworth from Personnel to Contractual Services in the amount of \$47,194.

Other Current Expenses - Your committee notes that a slight increase of \$500 for Communications from \$34,500 to \$35,000 is warranted. Furthermore, your committee observes that Law Day is an important National event that shapes the lives and minds of the future legal practitioners of the FSM. Annually, the amount provided by Congress is inadequate to fully fund the event and significant fundraising efforts must be undertaken while the Judiciary attempts to plan the best Law Day possible with a tight and uncertain budget. Thus, your committee finds that an increase from \$35,000 to \$50,000 for Law Day funding is appropriate.

Fixed Assets - Your committee approves the EBRC recommendation for a
copier for Yap, recording equipment, and 5 air conditioning units.
D. Agencies, Boards, Authorities, Commissions & Corporations

1. National Postal Services

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	445,345	442,967	442,967

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Travel	46,564	46,564	46,564
Contract	159,205	145,307	145,307
OCE	120,500	120,500	120,500
Fixed	25,000	0	0
Assets			
Total	796,614	755,338	775,338
#	40	40	40
positions			

Personnel - Your committee notes with approval that the Postmaster General's plan of last year to increase to 40 positions while lowering Personnel costs, reducing the part-time positions, and so on, has shown great results. Your committee applauds her efforts and approves the EBRC recommendation that is below FY2014.

Travel - Your committee approves the EBRC recommendation that is the same as the FY2014 for this line.

Contractual Services - Your committee approves the EBRC recommendation that is below the FY2014 for this line. Your committee notes that this reduction reflects the savings from having built the Post Office in Kosrae.

Other Current Expenses - Your committee approves the EBRC recommendation noting it is the same as the FY2014 line.

Fixed Assets - Your committee approves the EBRC recommendation for no fixed asset.

E. Special Programs

1. National Election Commission Office

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Personnel	195,965	195,965	195,965
Travel	14,251	17,637	17,637
Contract	53,477	53,477	53,477
OCE	57,463	72,477	72,477
Fixed	28,800	0	0

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Assets						
Total		349,956		339,556		339,556
#	12		12		12	
positions						

Personnel - Your committee approves the EBRC recommendation that is the same as FY2014. Your committee also notes that all employees of this office are ungraded and for many employees their designation as Clerk Typist II does not seem to comport with their actual duties. The ungraded status is a throwback to when all positions in this office were part-time and temporary: a situation that has never been updated. Your committee encourages the National Election Commission Office to revisit the designation of employees and present your committee with a written plan prior to the regular September Session.

Travel - The increase in the Travel line is due to fare increases. Thus, your Committee approves the EBRC recommendation.

Contractual Services - Your committee approves the EBRC recommendation that is the same as FY2014.

Other Current Expenses - Your committee approves the EBRC recommendation that is the same as FY2014.

Fixed Assets - Your committee notes that it anticipates that a grant from Australia to provide 10 desktop computers, 10 laser printers, battery back-ups, etc., will be approved by Congress and should be sufficient to meet the fixed asset needs of the office at this time.

II. Grants, Subsidies and Contributions

A. Department of Justice

1. States Joint Law Enforcement

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Kosrae	25,000	0	25,000
Pohnpei	50,000	0	50,000

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Chuuk	50,000	0	50,000
Үар	25,000	0	25,000

Your committee notes the EBRC has cut all JLEA funding. Your committee surmises that this is due to two factors. First, states have not been complying with the reporting requirements as to how these funds are being expended. Second, some states have apparently been improperly lowering their state police force spending to align with the amount provided by these grants. This is improper, since the purpose of these funds is not to supplement state police forces. Rather, the purpose of these funds is to recompense states when their police forces cooperate in national crime investigations. In spite of these problems, your committee declines to cut funding at this time. Your committee is concerned that such an elimination of funding might be used by state police forces as an excuse to be uncooperative with the National Police in their investigations. Yet, the status quo cannot continue to go on. Your committee encourages the Department of Justice to inform the states that this funding is on shaky ground and likely to be discontinued if they choose to remain incompliant. This matter can be expected to be revisited prior to the FY2016 funding cycle.

2. TIP (Capacity Building & Public Awareness)

FY 14	FY 15 EBRC	FY 15 J&GO
Appropriated	Recommended	Recommended
75,000	75,000	50,000

Your committee notes that Trafficking in Persons is an abhorrent crime and FSM narrowly averted being placed as a Tier 3 country. It was in response to this that your committee recommended the placement of a \$75,000 grant on TIP for the purpose of creating awareness and aiding enforcement. Considering that substantial awareness of TIP has been created in the last year, and based upon testimony by the Secretary of Justice, your committee recommends lowering the amount this year to \$50,000.

3. Fuel Subsidy

FY 14 Actual	FY 15 EBRC	FY 15 J&GO
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	Recommended	Recommended
500,000	500,000	500,000

Your committee approves the amount recommended by EBRC, noting that keeping three vessels at sea for 225 days per year costs approximately \$1.5 million dollars.

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4. Ammunition for Sidearm and Long Rifles

]	FY 14 Actual	FY 15 EBRC	FY 15 J&GO
		Recommended	Recommended
	0	25,000	25,000

As mentioned, *supra*, the National Police intend to purchase several new firearms. This item was placed as a grant, not a fixed asset, due to the fact that bullets are expended. This grant includes blank rounds for use in ceremonial purposes as well. Your committee approves this amount.

B. States Judiciaries

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Kosrae	35,000	30,000	35,000
Pohnpei	55,000	45,000	55,000
Chuuk	55,000	45,000	55,000
Үар	35,000	30,000	35,000

Yourc recommends keeping funding at the FY2014 levels, while cautioning states that in light of the decrement and the increased portion of Compact funding granted to the states, that states will have to prepare to take over funding their own court system. Furthermore, your committee is concerned with the slow case completion times currently in place in many courts. Your committee is reminded of the saying that, "Justice delayed is justice denied," and encourages the courts to find ways to decrease the amount of time it takes for cases to be resolved. Your committee is encouraged by the fact that the National Judiciary is going to be implementing time standards and guidelines for case completion. Data from the IFC and other sources show that case completion times in FSM, particularly the State courts, are the longest in the region and have a significant negative impact on the FSM's rating as a business-friendly environment. This exact issue was presented at length at the 2013 While your committee has not yet linked these subsidies to SNLC. implementation of time standards, state courts should prepare themselves for that eventuality.

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C. Micronesian Legal Services Corporation

FY 14	FY 15 EBRC	FY 15 J&GO
Appropriated	Recommended	Recommended
250,000	150,000	250,000

The FSM contribution to the MLSC is used to subsidize the salaries of staff in its four offices in the FSM, and to defray part of the \$1.274 million cost to provide services in the FSM. Of the money received by MLSC from LSC, over half of it goes to funding operations in the FSM. Of the money given by the FSM Congress to MLSC, 100% of it remains to fund operations in the FSM. In light of the fact that the bulk of its casework takes place in the FSM, your committee encourages the MLSC to investigate moving its central headquarters from Saipan to Pohnpei. Furthermore, your committee encourages all states, particularly in light of the increased Compact funding share going to the states, to assist in funding the MLSC in providing legal services to its impoverished citizens.

D. General Election (March 3, 2015)

FY 14 Actual	FY 15 EBRC	FY 15 J&GO
	Recommended	Recommended
0	376,444	395,247

Your committee has exceeded the EBRC recommendation by \$18,803. Your committee notes that a General Election is the hallmark event of a democratic nation. Your committee also observes that \$376,444 was the amount appropriated for the 2013 General Election, but that fuel costs have risen in the last two years. The General Election requires a significant expenditure of fuel as nearly a hundred boats, planes, and cars are dispersed throughout the Nation to place and gather ballot boxes. Based upon testimony from the National Election Commission Office, an additional \$18,803 should be sufficient to ensure that adequate funding is provided for this most important undertaking. Your committee finds it is imperative that Congress adequately funds the General Election to ensure no mishap occurs due to inadequate financial support. Your committee also cautions the National Election Committee that there should be no repeat of prior elections' problems with unpaid workers.

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III. Capital and Human Resources Development

A. FSM Supreme Court Information Technology Sys./Infra Development

FY 14	FY 15 EBRC	FY 15 J&GO
Appropriated	Recommended	Recommended
0	100,000	100,000

Your committee approves the EBRC recommendation. While this is not the first expenditure for the FSM Supreme Court to update their information system, it should be noted that earlier expenditures were aimed at updating the court's hardware capacity. That having been accomplished, this expenditure is part of the next phase: to update the court's software. This item would provide for software that would allow better management of court records, archiving, and electronic filing of court documents in all four states. Your committee notes that allowing litigants and their attorneys to e-file documents and access court documents online would be a significant step in modernizing the National Judiciary and wholeheartedly endorses this development. Further, testimony stated that the reaction to the prospect of e-filing by the legal community has been overwhelmingly positive. The proposed breakdown is: \$60,000 for software, \$33,000 for installation and configuration, and \$7,000 for training and maintenance.

B. Department of Justice

1. Patrol Boats Slipping

FY 14	FY 15 EBRC	FY 15 J&GO
Appropriated	Recommended	Recommended
750,000	750,000	750,000

Your committee approves the EBRC recommendation. Your committee notes that continued slipping of the Patrol Boats has extended the seaworthy life of the Patrol Boats significantly, thus saving the cost of purchasing new Patrol Boats to replace them. Your committee also notes that problems can occur when the budget incorrectly denotes a specific boat to be slipped when it is a different boat's turn to be slipped that fiscal year. Thus, your committee recommends that going

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forward this line item be called "Patrol Boats Slipping" rather than naming a specific boat or boats.

2. Patrol Boats Major Maintenance Project

FY 14	FY 15 EBRC	FY 15 J&GO
Appropriated	Recommended	Recommended
125,000	125,000	125,000

Your Committee approves the EBRC recommendation.

3. New Radio Communication System

FY 14 Actual	FY 15 EBRC	FY 15 J&GO
	Recommended	Recommended
0	40,000	40,000

Your committee approves the amount recommended by EBRC. Currently, the radio communication system for National Police officers is over a decade old. Your committee heard testimony that due to the age of their radios, the average battery life for an officer's radio is two hours. Thus, it is a regular occurrence that officers on extended patrols go radio dark early into their shift. The safety risks posed by this situation are obvious. This item is to replace the handheld radios carried by officers.

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4. Satellite Phone and Usage Billings

FY	II necuui	FY 15 EBRC	FY 15 J&GO
		Recommended	Recommended
0		75,000	75,000

Your committee approves the amount recommended by EBRC. The Japanese Government provided a satellite phone for the FSS Unity, as well as a satellite phone receiver for the maritime station in Pohnpei. The proposed expenditure would allow for satellite phones to be placed in the remaining three patrol boats that could then communicate with the receiver at the Pohnpei station. The old satellite phones in the other patrol boats are broken and need to be replaced. In future fiscal years, this expenditure would be significantly lower, as ongoing costs would be only for usage billings. The estimate was approximately \$10,000 per year going forward. The Department of Justice has assured us that protocols would be enforced to ensure that satellite phone usage is exclusively limited to official, necessary communications. Thus, no personal use by maritime surveillance officers is to be permitted.

C. National Election Commission Office

1. Voter ID Project

	FY 14	FY 15 EBRC	FY 15 J&GO
	Appropriated	Recommended	Recommended
Voter ID Card Project	25,000	25,000	25,000

Your committee approves maintaining funding at FY2014 levels. According to testimony by the National Election Commission Office, approximately 20% of the FSM population has received Voter ID cards, and that number is expected to continue to grow.

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2. Public Education on Constitution Amendment

FY 14 Actual	FY 15 EBRC Recommended	FY 15 J&GO Recommended
0	300,000	0

Your committee inquired during hearings about this proposed expenditure, but was not provided any details whatsoever. While your committee is not inherently opposed to Public Education on Constitution Amendment, at this time the title of the \$300,000 expenditure is all the information your committee possesses. Thus, in the absence of any information regarding such a significant expenditure, your committee cannot currently recommend it.

D. Chuuk State Supreme Court Building Renovation Project

FY 14 Actual	FY 15 EBRC	FY 15 J&GO
	Recommended	Recommended
0	0	160,000

Last year, your committee recommended significant funds should be expended to help renovate the Chuuk Courthouse. That item did not make it into the final budget. The situation with the deteriorating courthouse has not improved over the last year, but worsened. Members of your Committee have witnessed water pouring through the roof of the courthouse into the building during rain. Thus, your committee recommends this item.

CONCLUSION

With the modifications identified above, your Committee on Judiciary and Governmental Operations recommends authorizing those portions of the FY 2015 budget relating to matters under its jurisdiction, subject to the availability of funds, as determined by your Committee on Ways and Means.

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Respectfully submitted,

/s/ Wesley W. Simina, chairman /s/ Berney Martin Berney Martin, vice chairman

Dohsis Halbert, member

/s/ Tiwiter Aritos Tiwiter Aritos, member

/s/ Yosiwo P. George /s/ Isaac V. Figir Yosiwo P. George, member Isaac V. Figir, member

Bonsiano F. Nethon, member