November 26, 2014

The Honorab e Dohis Halbert
Speaker
18th FSM Congress
Palikir, Pohnpei FM 96941

Dear Speaker Halbert:

I transmit the following Congressional Act, which became Public Law No. 18-97 due to Congressional override of my veto:

Congressional Act No. 18-98, entitled: “AN ACT TO AMEND SECTION 213 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, TO REQUIRE THE PRESIDENT, WHERE CONGRESS HAS OVERRIDDEN A PRESIDENTIAL VETO, TO SIGN AND DATE ALL CONGRESSIONAL ACTS AND ASSIGN A PUBLIC LAW NUMBER THERETO WITHIN TWO WORKING DAYS FROM RECEIPT OF THE TRANSMITTAL OF THE CONGRESSIONAL ACT FROM CONGRESS; TO REQUIRE THE PRESIDENT, IN THE INSTANCE OF A LINE-ITEM VETO, TO ASSIGN A DIFFERENT NUMBER FROM THE PREVIOUS PUBLIC LAW, AND OTHER PURPOSES.”

Congress misconstrues the rationale for my veto. While the committee report acknowledged that the present public law affects purely administrative procedure, at the same time, it overlooked the unavoidable effect, which is to micromanage the Executive to a point of requiring the President to take action upon overridden acts from Congress in a short period of time. This act negates the separation of power. It does not demonstrate healthy coordination and cooperation between co-equal branches of government. On the contrary, it legitimizes constitutionally questionable intrusion by Congress in the execution of public law.

In view of the foregoing, I reiterate the concerns I raised before regarding this matter.

Sincerely,

Manny Mori
President

Enclosure

xc: Acting Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Public Library, CFSM
PIO, FSM
November 24, 2014

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. 18-98, "AN ACT TO AMEND SECTION 213 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, TO REQUIRE THE PRESIDENT, WHERE CONGRESS HAS OVERRIDDEN A PRESIDENTIAL VETO, TO SIGN AND DATE ALL CONGRESSIONAL ACTS AND ASSIGN A PUBLIC LAW NUMBER THERETO WITHIN TWO WORKING DAYS FROM RECEIPT OF THE TRANSMITTAL OF THE CONGRESSIONAL ACT FROM CONGRESS; TO REQUIRE THE PRESIDENT, IN THE INSTANCE OF A LINE-ITEM VETO, TO ASSIGN A DIFFERENT NUMBER FROM THE PREVIOUS PUBLIC LAW, AND FOR OTHER PURPOSES.", which was repassed on November 18, by the Eighteenth Congress of the Federated States of Micronesia, Fifth Special Session, 2014, by a three-fourths vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

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

Enclosures
An Act

TO AMEND SECTION 213 OF TITLE 1 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, TO REQUIRE THE PRESIDENT, WHERE CONGRESS HAS OVERRIDDEN A PRESIDENTIAL VETO, TO SIGN AND DATE ALL CONGRESSIONAL ACTS AND ASSIGN A PUBLIC LAW NUMBER THERETO WITHIN TWO WORKING DAYS FROM RECEIPT OF THE TRANSMITTAL OF THE CONGRESSIONAL ACT FROM CONGRESS; TO REQUIRE THE PRESIDENT, IN THE INSTANCE OF A LINE-ITEM VETO, TO ASSIGN A DIFFERENT NUMBER FROM THE PREVIOUS PUBLIC LAW, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR DOHSIS HALBERT

DATE: JULY 11, 2014

REPAASSED: NOVEMBER 18, 2014

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
ACT NO. 18-98

(CONGRESIONAL BILL NO. 18-202)

I hereby certify that on November 18 the foregoing act was repassed by the Eighteenth Congress of the Federated States of Micronesia, Fifth Special Session, 2014, by a three-fourths vote of all the State delegations as required under article IX, section 2(q), of the Constitution of the Federated States of Micronesia.

Dohsis Halbert
Speaker
Congress of the Federated States of Micronesia
To amend section 213 of title 1 of the Code of the Federated States of Micronesia, as amended, to require the President, where Congress has overridden a presidential veto, to sign and date all Congressional Acts and assign a public law number thereto within two working days from receipt of the transmittal of the Congressional Act from Congress; to require the President, in the instance of a line-item veto, to assign a different number from the previous public law, and for other purposes.

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

1. Section 1. Policy and Purpose. The purpose of this bill is to ensure the effective implementation of Congressional Acts by veto override, by requiring the President of the Federated States of Micronesia to sign and date all Congressional Acts and assign a public law number thereto within two working days from the receipt of the transmittal of the Congressional Act from the Congress of the Federated States of Micronesia. Additionally to prevent confusion and misunderstanding, the bill will require all Congressional Acts, which have overridden a presidential line-item veto, to be assigned a different number from the public law containing the line-item veto. It is common understanding that once Congress has exercised its veto override powers pursuant to article IX, Section 2(q) of the Constitution of the Federated States of Micronesia that the Bill becomes law. The President has purely a ministerial task of issuing the public law number for the Congressional Act. There is no dispute as to the substance of the veto override. By amending title 1, section 213, Congress will ensure efficient and effective
implementation of Congressional Acts, which are enacted by a
Congressional veto override, as well as prevent misunderstanding.

Section 2. Section 213 of title 1 of the Federated States of
Micronesia, as amended, is hereby amended by to read as follows:

"Section 213. Numbering of laws.

(1) Public laws shall be assigned a number by the High
Commissioner as they become law, with or without his
signature, in the order which they become law. Numbers of
public laws enacted by the First Regular Session, 1965,
Congress of Micronesia, shall be preceded by the
figure "1-"; numbers of public laws enacted by the Second
Regular Session, 1966, Congress of Micronesia, shall be
preceded by the figure "2-"; numbers of public laws
enacted by the Third Regular Session, 1967, Congress of
Micronesia, shall be preceded by the figure "3-"; numbers
of laws enacted by the Fourth Regular Session, 1968,
Congress of Micronesia, shall be preceded by the
figure "4-"; numbers of public laws enacted by the Third
Congress of Micronesia shall be preceded by the
figure "3C-"; numbers of public laws enacted by the Fourth
Congress of Micronesia shall be preceded by the
figure "4C-"F; numbers of public laws enacted by the Fifth
and succeeding Congresses shall be preceded by an Arabic
numeral representing the number of the Congress, followed
by a hyphen, such as "5-"."
(2) Private laws enacted by the Congress of the Federated States of Micronesia shall be numbered in the same manner as public laws, as set forth in subsection (3) of this section, except that such laws shall be known as private laws and not as public laws.

(3) Bills enacted by the Congress of the Federated States of Micronesia shall be assigned a number by the President of the Federated States of Micronesia as they become law, with or without his approval, in the order in which they become law. Public laws enacted by the First Congress of the Federated States of Micronesia shall be preceded by the figure "1" followed by a hyphen. Public laws enacted by subsequent Congresses shall be preceded by an Arabic numeral representing the number of the appropriate Congress, followed by a hyphen, such as "2-".

(4) For a Congressional Act whereby the Congress of the Federated States of Micronesia has overridden a presidential veto, the President of the Federated States of Micronesia, shall sign and date the Congressional Act and assign a public law number thereto within two working days from receipt of the transmittal of the Congressional Act. In the instance of a veto override of a Presidential line-item veto, the public law number assigned shall not be the same number as assigned to the
previous public law that contained the line-item veto."

Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

________________________, 2014

Override

Manny Mori
President
Federated States of Micronesia