

STANDING COMMITTEE REPORT NO. 15-171

RE: PRESIDENTIAL VETO OF C.A. NO. 15-72/W&M

SUBJECT: OVERRIDE OF PRESIDENTIAL VETO

JANUARY 06, 2009

The Honorable Isaac V. Figir
Speaker, Fifteenth Congress
Federated States of Micronesia
Sixth Special Session, 2009

Dear Mr. Speaker:

Your Committee on Ways and Means, to which was referred Presidential Communication No. 15-319, a veto of C.A. No. 15-72, which was entitled:

"AN ACT TO APPROPRIATE THE SUM OF \$271,537, FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE PURPOSE OF FUNDING THE UPCOMING FSM PUBLIC SAFETY ACADEMY, CAROLINE ISLAND AIR INC, T-3 PROGRAM, OFFICE OF STATISTICS, BUDGET, OVERSEAS DEVELOPMENT ASSISTANCE AND COMPACT MANAGEMENT, CHUUK OFFICE OF NATIONAL PUBLIC AUDITOR, MICRONESIA SEMINAR PROJECT AND FORMER FSM AMBASSADOR FOR THE UNITED STATES, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

The present veto is based on an alleged constitutional defect. Apparently, according to the President, the bill as passed was a "lump sum appropriation" which denied the President his constitutional right to line item veto.

Your Committee believes that the objection of the President is not well taken. The appropriation is clearly broken down into specific and separate "line items" (in the accounting sense of the term) although admittedly the formatting of the bill did not have the separate appropriations on separate lines. Your Committee feels, however, that nothing prevented the President from vetoing any of the separate appropriations.

Your Committee disagrees therefore with the premise of the veto, that the bill is a lump sum undifferentiated appropriation.

Your committee on Ways and Means recommends, therefore, that the Presidential veto on C.A. 15-72 be overridden.

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Respectfully submitted,

/s/ Dohsis Halbert
Dohsis Halbert, chairman

/s/ Setiro Paul
Setiro Paul, member

/s/ Moses A. Nelson
Moses A. Nelson, member

Claude H. Phillip, member

/s/ Fredrico O. Primo
Fredrico O. Primo, member

/s/ Peter Sitan
Peter Sitan, member

Joseph J. Urusemal, member