

STANDING COMMITTEE REPORT NO. 16-10

RE: P.C. NO. 15-374/JGO

SUBJECT: FY 2010 BUDGET

JUNE 04, 2009

The Honorable Isaac V. Figir  
Speaker, Sixteenth Congress  
Federated States of Micronesia  
First Regular Session, 2009

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was jointly referred Presidential Communications No. 15-374, begs leave to report as follows:

Presidential Communication No. 15-374 concerns the National Government's proposed budget for fiscal year 2010 as set forth a publication entitled *National Government Fiscal Year 2010 Proposed Budget* ("*Budget Book*"). Pursuant to rule 7, section 4(b), of the Official Rules of Procedure of the Fifteenth 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 Budget:
  - A. Department of Justice
    - 1. Administration, Office of the Secretary
    - 2. Litigation
    - 3. Law
    - 4. Registrar of Corporations
    - 5. Immigration & Labor
    - 6. National Police
  - B. Office of Public Defender
  - C. National Judiciary
  - D. Agencies, Boards, Authorities, Commissions & Corporations

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- 1. National Postal Services
- E. Special Programs
  - 1. National Election Commission Office
- F. Other Grants, Subsidies and Contributions
  - 1. State Law Enforcement
  - 2. State Judiciaries
  - 3. Micronesian Legal Services Corporation
- G. Capital and Human Resources Development
  - 1. National Election Voter ID Card

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's findings and recommendations follow:

#### **INTRODUCTORY COMMENTS**

Your Committee appreciates the President's efforts to contain and reduce where possible, the costs of governmental operations. The President expressed his goal as not exceeding the FY2009 levels of funding and applying a 10% budget reduction on travel and non-essential expenditures. Your Committee congratulates the President on achieving this goal with respect to the areas within the jurisdiction of your Committee.

#### **DISCUSSION OF FY 2010 BUDGET**

During the process of the oversight hearings and the review of the Budget by your Committee uncovered that many of the salaries listed in the Budget Book were not the actual/correct salaries for the various listed positions. Some agencies have the correct assigned salary as authorized in the FY2009 budget while others did not. Your Committee thereafter, requested an update from the Personnel Office and the Administrative staff from the respective agencies, but has received a report only from the Supreme Court.

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The appropriations discussed below are presented, by entity, in the order in which they appear in the budget book. The figures given for each department/agency include the total amount appropriated by law for FY 2009, as set forth in Public Law No. 15-55, the amounts proposed by the President for each entity for FY 2010 (as listed under "Proposed" in the *Budget Book*).

Based on the foregoing thoughts, your Committee makes the following recommendations, subject to availability of funds:

**I. OPERATIONS BUDGET**

**A. DEPARTMENT OF JUSTICE**

	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$2,026,792	\$2,036,857	\$2,030,824
<b>Travel</b>	\$102,285	\$91,951	\$90,014
<b>Contract Services</b>	\$166,664	131,664	\$111,664
<b>Other Current Expenses</b>	\$907,720	\$907,720	\$902,620
<b>Fixed Assets</b>	\$19,500	19,500	\$19,500
<b>Total:</b>	<b>\$3,222,961</b>	<b>\$3,187,692</b>	<b>\$3,154,622</b>
<b>#Employees</b>	130	131	131

**1. Office of the Secretary**

During the Oversight, Attorney General, Mr. Maketo Roberts, spoke of the continuing need for additional attorneys. It has been difficult to recruit expatriate attorneys due to the low salaries being offered.

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	<b>FY09 Approp.</b>	<b>FY2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$101,875	\$101,867	\$106,445
<b>Travel</b>	\$18,818	\$16,936	\$15,000
<b>Contract Services</b>	29,944	29,944	9,944
<b>OCE</b>	22,600	22,600	17,500
<b>Fixed Assets</b>	0	0	0
<b>Total</b>	<b>\$173,237</b>	<b>\$171,347</b>	<b>\$148,889</b>
<b># of Employees</b>	5	5	5

Your Committee recommends personnel to remain at the FY 2009 level which included the one time increase salary adjustment except for a salary increase to the Secretary, head Attorney General's salary to that of the Legislative Counsel for Congress, \$51,230. Your Committee reduced Travel \$1,936 below the President's recommendation. Your Committee further recommended to decrease \$20,000.00 for Legal interns at the Department and to decrease \$5,000.00 from OCE expenses for Communications.

## **2. Division of Litigation**

Chief of Litigation, Ms Pole Atanraoi stated that the challenge facing her division is not having enough funding. The Division's funds have already been depleted although they are just now at the third quarter of FY2009.

According to Ms. Atanraoi, the litigation division has completed several fishing trials and some civil cases during the 2009 fiscal year. Currently, there are thirty-six pending criminal cases with at least ten civil cases. Since October, the division has prosecuted two fishing violation cases with penalties of \$200,000 and \$450,000. The division has also issued \$11,000 in fishing citations. Ms. Atanraoi stated that his division has collected some \$400,000 with some \$100,000 still due.

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<b>Budget Summary</b>	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$130,800	\$139,031	\$139,031
<b>Travel</b>	\$22,615	\$20,353	\$20,353
<b>Contract Services</b>	7,000	7,000	7,000
<b>OCE</b>	0	0	0
<b>Fixed Asset</b>	0	0	0
<b>Total</b>	\$160,415	\$166,384	\$166,384
<b># of Employees</b>	3	3	3

Your Committee agreed with the President's recommendation for this division. Your Committee wishes to remove the vacant, Assistant Litigation position for this division if it has not yet been filled.

Mr. John Asher, Chief of the Division of Law, stated that four lawyers are not enough for his division. Another attorney is needed in Chuuk. The Law Division handles all matters other than litigation such as providing counsel, reviewing contracts and drafting bills and resolutions.

### 3. Division of Law

	<b>FY2009 Appropriation</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$174,400	\$174,400	\$174,400
<b>Travel</b>	\$ 9,946	\$8,951	\$8,951
<b>Contract Services</b>	0	0	0
<b>OCE</b>	0	0	0
<b>Fixed Assets</b>	0	0	0
<b>Total</b>	<b>\$184,346</b>	<b>\$183,351</b>	<b>\$183,351</b>
<b># of Employees</b>	4	4	4

Your Committee agrees with the President's proposal regarding the Division of Law.

### 4. Registrar of Corporations Unit

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The Unit reported that it continued to on Proposed Regulations for improving work activities. The Unit is working on its relationship with MRA to attract large foreign investors to register in the FSM. This continues to be a challenge.

<b>Budget Summary</b>	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$28,661	\$31,644	\$31,644
<b>Travel</b>	\$ 6,500	\$ 5,850	\$ 5,850
<b>Contract Services</b>	15,000	0	0
<b>4. OCE</b>	2,500	2,500	2,500
<b>5. Fixed Asset</b>	1,500	1,500	1,500
<b>Total</b>	\$54,161	\$41,494	\$41,494
<b># of Employees</b>	2	2	2

#### **5.Division of Immigration and Labor**

Your Committee continues to raise the concern that overtime hours are not being reimbursed by Continental Airlines. The representative from the Department of Finance and Administration reported that Overtime paid for Immigration alone in 2008 was some \$200,000. Only some \$146,000 has been collected to cover overtime for immigration, customs and quarantine.

Although vouchers for reimbursement are filed every two weeks, there still is difficulty collecting from Continental due to Continental requesting copies of the overtime requests. The Committee has voiced concern over the lack of collection of overtime reimbursement for several years now. Senator Halbert opinioned that perhaps quarantine is more successful in the collection of their overtime billing due to completing the billing individually by the Division on a timely manner.

Mohner Esiel, Chief of Immigration and Labor stated that the major challenges facing his division are the difficulty in uncovering passport fraud, having to wait for funding from the executive branch, uncertainty about how to deal with the swine flu epidemic and the Re-classification of the staff employees of the Division.

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The Immigration Division has not received any specialized training to detect passport fraud. The only passports confiscated are those that have been altered or are not the actual person traveling. Eighteen passports have been confiscated and cancelled by the Division. All of these have been confiscated from FSM citizens. Generally, the passport is cancelled because the passport is based upon an erroneous birth certificate. In order to reduce this, according to Mr. Esiel, the system of registering births within the individual states needs to be improved. Immigration does not forward these cases to the department and individuals traveling on improper passports have, thus far, faced no legal retribution.

The Committee questioned whether or not it is possible to run a background check on someone being issued a passport. According to Mr. Esiel, the law does not prohibit anyone from applying for a passport even if that individual has been convicted of a felony.

The Committee also questioned the turn around time for the Division to issue a passport. Mr. Esiel stated that their turn around time is generally seven days. They follow the first in, first out method regarding the issuance of passports. Sometimes there are delays due to the postal system and/or incomplete applications. Finally, your Committee noted the achievement of the Division in the collection of other fees.

	<b>FY 2009 Appropriation</b>	<b>FY 2010 President Proposed</b>	<b>Committee Recommendation</b>
<b>Personnel</b>	\$484,603	\$522,335	\$522,335
<b>Travel</b>	\$ 23,482	\$ 21,133	\$ 21,133
<b>Contr. Ser.</b>	\$74,020	\$74,020	\$74,020
<b>OCE</b>	\$98,220	\$98,220	\$98,220
<b>Fixed Assets</b>	0	0	0
<b>Total</b>	\$680,325	\$715,708	\$715,708
<b># Employees</b>	37	37	37

**6. National Police**

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This Division's most important challenges or concerns are the dry-docking of the FSS INDEPENDENCE and FSM contribution of about \$85,000.00 for the Life extension project for FSS MICRONESIA. The Attorney General, Mr. Maketo Robert, stated that the President has requested that local revenue not compact money to be used with regards to the dry-docking. Your Committee noted the request, but could not act on such requests without a formal request by the President.

The Committee questioned the witnesses about joining INTERPOL. Chief of Police, Pius Chotailug, stated that the \$30,000 membership fee prohibits membership in this organization.

Mr. Chotailug also stated that additional staff is needed in Chuuk. The six investigators are overwhelmed. According to Mr. Chotailug, many additional cases need to be investigated by the national government.

Attorney General Roberts also voiced the concern that although the national government is delegated interstate powers that there are no national police at the airports. Mr. Roberts stated that there is a need to have national police at least at the airports and harbors.

Chief of Police, Chotailug, notes that his department requested an additional position for the national police that is missing from the budget. According to Mr. Chotailug, there are 80 national police officers. For FY2010 the department is requesting an additional police officer.



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<b>Personnel</b>	\$970,542	\$1,056,969	\$1,056,969
<b>Travel</b>	\$ 20,924	\$ 18,727	\$ 18,727
<b>Contr. Serv.</b>	40,700	20,700	20,700
<b>OCE</b>	784,400	784,400	784,400
<b>Fixed Assets</b>	18,000	18,000	18,000
<b>Total</b>	\$1,834,566	\$1,898,796	\$1,898,796
<b># of Employees</b>	79	80	79 if vacant position has not yet been filled otherwise 80

Your Committee wishes to delete the additional position for the national police only if it has not yet been filled.

Except for the increases and decreases of funding levels recommended above, your Committee agrees with the President's proposed budget for the Department of Justice.

**B. OFFICE OF THE PUBLIC DEFENDER**

Julius J. Sapelelat, Chief Public Defender stated the difficulty that his office faces in recruiting outside attorneys for the branch offices. Out of two recent recruits, one remained in Yap for one month and one in Chuuk has already tendered his resignation. The Public Defender's Office intends to recruit more legal students from regional schools in the Pacific and Hawaii who might be more likely to come and stay in the FSM. Mr. Sapelelut was of the opinion that the FSM has relied upon United States lawyers to make laws based upon US law and the Common Law regime.

According to Mr. Sapelelat, crimes have increased with the recent economic downturn. The number of crimes has doubled over the past two years.

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The major problems faced by this department are related to trying cases in Chuuk. When there are several defendants, each defendant is required to have separate counsel. There are not enough computers for counsel. There is also a problem transporting defendants from the outer islands since the current boat is in a deteriorated state and parts are unavailable.

Mr. Sapelelat noted that a new office building has been acquired in Chuuk. Chuuk is in need of a new vehicle and boat. Yap is in need of a vehicle as it has been without one for some time.

The Committee questioned the Department on their scholarship program that would provide educational funding for people to gain the necessary education to one day return to the FSM and serve as lawyers. According to Mr. Sapelelat, the scholarship is no longer issued since the President notified him that the scholarship should go through the Department of Education. According to Mr. Sapelelat, the scholarship recipient was receiving scholarship from the Public Defender and the department of education at the same time. This student is scheduled to graduate in two years.

The Committee questioned the witnesses on the breakdown of cases among the states. According to Mr. Sapelelat between January and March of 2009 there are 131 Chuuk cases, 105 Pohnpei cases, 80 Yap cases, and 23 Kosrae cases. In Chuuk there are 15 felony cases pending with a majority of these being misdemeanors, traffic and juvenile cases. Several of the cases deal with Philippine slingshots, possession and use of firearms and murder and manslaughter.

The Committee questioned the witnesses on why the Public Defender's salary is higher than other attorneys. Mr. Sapelelat responded that a contractual issue between the President and his cabinet members determines the salary.

The Committee also questioned the panel on the discrepancies between attorney salaries among the departments. According to Mr. Sapelelat, one salary decrease is specifically due to the replacement attorney having less experience than her predecessor. Salary increases are

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based upon appropriations by grade. Personnel determines the rate the various individuals should receive based upon his experience.

	<b>FY2009 Approp.</b>	<b>FY2010 President Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$510,930	\$522,172	\$528,712
<b>Travel</b>	\$98,000	\$30,3742	\$88,200
<b>Contract Services</b>	\$83,150	\$78,150	\$108,150
<b>OCE</b>	\$46,900	\$43,100	\$43,100
<b>Fixed Assets</b>	\$0	\$0	\$0
<b>TOTAL</b>	\$738,980	\$674,168	\$768,162
<b># of Employees</b>	25	25	25

Your Committee recommends the following additional changes shown in the chart above. Travel for the Office of the Public Defender's Office should remain at 10% less than last year. The Chief Public Defender's salary should be increased to \$51,230 to be in line with Congress's Legislative Counsel's salary. Your Committee wishes to reinstate the \$40,000 scholarship for law school student to Contractual Services and to delete this amount from scholarships in education. Your Committee also wishes to delete \$10,000 from Contractual Services for the Chuuk lease. The Chuuk office should negotiate down their lease or look for another suitable, more financially reasonable, office space.

The Committee cautions the Public Defender's office to limit itself only to criminal cases.

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**C. NATIONAL JUDICIARY**

	<b>FY 2009 Approp</b>	<b>FY 2010 Requested</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$748,447	\$752,222	\$756,571 \$724,592.26*	\$724,592.26
<b>Travel</b>	\$125,263	\$135,963	\$112,917	\$120,000
<b>Contract Services</b>	\$135,300	\$121,100	\$121,100	\$121,100
<b>Other Expenditures</b>	\$175,306	\$185,743	\$175,306	\$175,306
<b>Fixed Assets</b>	\$25,000	\$32,000	\$25,000	\$20,000
<b>Total</b>	<b>\$1,209,516</b>	<b>\$1,227,028</b>	<b>\$1,190,894</b>	<b>\$1,192,977</b>
<b># Employees</b>	31		31	31

\*\$724,592.24 is the actual salary being paid for Supreme Court personnel according to documentation submitted by its office.

Your Committee recommends that the National Judiciary's travel budget remain at the 2008 level of \$120,000. Your Committee recommends that the fixed assets remain at \$20,000 with \$15,000 being allocated for a generator and \$5,000 being allocated for air conditioning.

Chief Justice, Andon L. Amaraich, stated that the main challenges facing his department are the power problems in Chuuk and the need for additional funding for travel between the states to complete judicial functions. The amount to propose for travel expense is unknown since the necessity depends upon which cases are appealed. The judges and staff must travel to where the appeal is from. Another main problem that the court faces in disposing of cases is that attorneys and parties appear in court that are not ready to proceed. Kapilly Capelle, Director, FSM Supreme Court Administration also noted that the Court's problem of recruiting attorneys due to the low salary range.

The Chief Justice stated that he met with the President and was assured that the regular alternating budget would not be changed and that supplemental requests may be submitted to the President.

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The President's 10% reduction on travel for all office also included cuts to recruitment and repatriation. Capelle estimated that \$65,000 was spent annually for recruitment and repatriation. According to Chief Justice Amaraich, if an attorney extends his or her contract they are given a bonus by law of \$1,500 for a one-year extension or \$3,000 for a two-year extension.

The Committee voiced its concern over the Attorney General's Staff Attorneys having a \$3,000 salary increase while the Courts do not. The Committee also voiced its concern over the Staff Attorney salaries being higher than that of the judges. Assistant Attorney General Timoci Romanu also noted that Staff Attorneys salary is higher than the Attorney General's.

The Court has focused on the disposition of cases. There are some five or so older, post-judgment cases which are attempts to collect judgments.

The only property leased by the courts is in Chuuk. The corporation that owns the property has many shareholders who are involved. The shareholders are interested in allowing a long-term lease but are not interested in selling at this time. The current lease expires in 2012.

The fixed assets needed by the courts are related to the power problems in Chuuk. The current generator is 16 years old and needs replacement. Additional air conditioners are needed.

The Chief Justice noted that the Court minimized their expenses the best that they could. The funds requested are necessary for the normal operations of the courts.

**D. BOARDS, COMMISSIONS & AUTHORITIES**

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**1. National Postal Service**

	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Personnel</b>	\$441,777	\$440,065*	\$440,065
<b>Travel</b>	\$36,623	\$32,961	\$32,961
<b>Contract Services</b>	\$126,952	\$128,025	\$139,412
<b>OCE</b>	\$85,400	\$87,400	\$
<b>Fixed Assets</b>	\$0	\$15,000	\$12,000
<b>Total:</b>	<b>\$690,752</b>	<b>\$703,451</b>	<b>\$711,838</b>
<b>#Employees</b>	38	38	38

The Committee noted a discrepancy in the budget book of the Philatelic Bureau Manager's salary which should be \$23,121 making the personnel total \$440,065 instead of \$433,831.

Your Committee recommends the following changes to contractual services for the postal services: \$16,000 for air transportation for PMA & CIA; \$37,000 to pay for the leased offices in Chuuk, Kosrae & Yap and \$37,500 to pay for local mail contracts.

Your Committee also recommends \$12,000 for a generator under OCE rather than the \$15,000 proposed.

According to Postmaster General, Midion G. Neth, the main challenges and undertakings of the Postal Service this year were the renovation of the Chuuk, Pohnpei and Yap Post Offices and a new Post Office Building in Kosrae. 2 stamps were issued in the fiscal year.

Post Office boxes available for rental increased by 6,938. Revenues generated for the Postal System were \$446,433 in 2008, up from \$387,900 in 2007. Your Committee continues to voice its concern that the box rental rate for Post Office boxes should be increased. Your Committee also notes that additional Post Office boxes are needed in Chuuk. Your Committee is concerned about the lease in Kosrae being so much higher than the other lease agreements especially given the state's population.

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Postmaster General Neth and Assistant Postmaster General Jack J. Jack discussed the implementation of the Postage 2 program. Under this program, a contractor picks up packages from the outer islands of Pohnpei and brings them to Pohnpei. When the package arrives in Pohnpei, the recipient is called by the Post Office. The recipient then comes to the Post Office to pick up her package and to pay for the delivery. The Postal Service explained to the public that the postage system was instituted for their convenience to deter the sending of packages that would not be picked up and paid for. This has been very successful during the six months that it has been instituted. The Post Office plans to extend this program to Chuuk, Yap and the outer islands. The Postal Service has a contract with CIA to pick up 200 pounds of packages and to bring them into Pohnpei. They are requesting an additional 17,000 because the CIA contract for transportation is expiring in September.

Postmaster General Neth noted that the Kosrae post office has requested more than the \$16,000 proposed towards the rental of their new building. The rental of the Kosrae branch was negotiated from \$40,000 down to \$21,888. The rental rate for Chuuk is \$14,000. The rental rate for Yap is \$1,485. There is no rental rate for Pohnpei.

Again, due to the power problems in Chuuk, an additional generator is needed.

The department says that additional workers are needed for the outer islands of Chuuk. There is a need to scan incoming and outgoing mail. Also, additional trained personnel are needed to perform quarantine and other duties.

The department notes that it is necessary to change their vehicles to left hand drive because the time to receive replacement parts on left hand drive vehicles is too long.

The Committee also questioned the panel on the increased fuel and utilities cost. According to Assistant Postmaster General Jack, the cost of utilities in Yap state has nearly doubled.

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The Committee congratulated the Committee on its commitment to serve the people and requested in closing that the post office please allow money orders to be brought back. Postmaster Neth stated that the money order issue will be discussed at a meeting next month in Guam and that the Committee would be informed of the status.

**E. SPECIAL PROGRAMS**

**1. National Election Director's Office**

	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed*</b>	<b>Committee Recommends</b>
<b>Personnel</b>	<i>\$179,850</i>	\$185,300	<b>\$185,300</b>
<b>Travel</b>	<i>\$11,993</i>	\$10,794	<b>\$20,000</b>
<b>Contract Services</b>	<i>\$28,000</i>	\$21,877	<b>\$21,877</b>
<b>OCE</b>	<i>\$84,650</i>	\$84,650	<b>\$48,463</b>
<b>Fixed Assets</b>	<i>\$0</i>	\$40,650	<b>\$10,400</b>
<b>Total:</b>	<i>\$304,493</i>	\$343,271	<b>\$286,040</b>
<b>#/Employees</b>	<i>11</i>	11	<b>11</b>

\*The FY2010 proposed values listed in the chart above are according to the detailed budget. These numbers are different than those listed in the budget summary.

The National Election Commission Office states that they requested \$3,750 for advertising/printing, \$12,000 for Communications \$0 for maintenance & repair services \$10,200 for POL \$7,513 for supplies & materials and. \$15,000 for utilities for a total of \$48,463. Your Committee recommends the Office's request for \$48,463 as requested.

According to Director, Kimiuo the National Election Office has requested four new computers. The current computers being utilized were donated. The office has been in need of air conditioning since November of 2008 when their unit broke.

You Committee recommends \$20,000 for travel in order to emphasize voter registration.



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For fixed assets, your Committee recommends \$1,100 for air conditioners, \$1,300 for a copier and \$8,000 for desktop computers for a total of \$10,400.

The Committee questioned the panel how they update their system to remove registered voters who have died. According to Director Kimeuo Kimiuo, quarterly checks are completed with the hospitals.

The Committee recommended that photo identification be required to vote. Deputy Director Emilio Eperiam recommended that Chuuk provide a workshop to Pohnpei in order to increase interest in voting.

According to the Director, people outside of the FSM can vote in two ways: 1. Requesting to vote by mail or 2. Requesting to vote on Election Day.

The Committee questioned the panel on the recent workshop in Guam and what was learned there. According to Director Kimiuo, the workshop briefed them on newly endorsed legislation; amendments listed that quarter and procedures for conducting the election.

The Committee further questioned the fact that many people did not know which day was Election Day. According to the Director many of the Chuukese public were informed about the Election Day from the candidates during their campaigns.

The panel noted that although their funding for 2010 was reduced since there is no major election in 2010 that additional money is needed in 2010 to prepare for the 2011 election.

In addition, the Office states that they have requested new vehicles 7 times.

The Committee requested \$115,000 for voter registration. The Chairman requested a breakdown of this \$115,000.

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According to Director Kimino about 25% of the population is currently registered to vote. The Commission hopes to register 90% by the 2011 election.

The Committee questioned what is necessary to vote. According to Seperiano Barnabus, Commissioner if you're registered you can vote whether you have an ID card or not.

Your card shows that you are registered to vote and which election district you are eligible to vote in. If you appear without your identification, you can still vote as long as the poll watcher knows you.

The Committee questioned the panel regarding voter identification. According to Director Kimino, once your photo and signature are given, your voter's identification can be printed out.

The Committee voiced concern that many people do not have a Social Security number. If a social security number is required to register to vote, many unemployed people will not be able to vote.

**F. GRANTS, SUBSIDIES, AND CONTRIBUTIONS**

**1. State Law Enforcement**

	<b><i>FY 2009 Approp.</i></b>	<b><i>FY 2010 Proposed</i></b>	<b><i>Committee Recommends</i></b>
<b>Kosrae</b>	\$25,000	\$25,000	<b>\$25,000</b>
<b>Pohnpei</b>	\$50,000	\$50,000	<b>\$50,000</b>
<b>Chuuk*</b>	\$50,000	\$50,000	<b>\$50,000</b>
<b>Yap</b>	\$25,000	\$25,000	<b>\$25,000</b>
<b>Total:</b>	<b>\$150,000</b>	<b>\$150,000</b>	<b>\$150,000</b>

\* Regarding the use of funds appropriated for Chuuk, your Committee does not recommend approval of the use of any state law enforcement funds for salaries or personnel in any regard. Of the \$50,000 allocated to Chuuk, the Attorney General's office may only use

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\$15,000 of this amount while the remaining \$35,000 of this amount shall be allocated to the state.

Your Committee recommends that Congress should review the subsidies and contributions and seek executive input on them at some time.

**2. State Judiciaries**

	<i>FY 2009 Approp.</i>	FY 2010 Proposed	<b>Committee Recommends</b>
Kosrae	<i>\$30,000</i>	\$30,000	<b>\$30,000</b>
Pohnpei	<i>45,000</i>	45,000	<b>\$45,000</b>
Chuuk	<i>45,000</i>	45,000	<b>\$45,000</b>
Yap*	<i>30,000</i>	30,000	<b>\$30,000</b>
<b>Total:</b>	<b><i>\$150,000</i></b>	\$150,000	<b>\$150,000</b>

Your Committee prohibits any of the funds for state judiciaries from being used for fixed assets except for the purchase of computers.

\*Of the \$30,000 recommended for the State of Yap, \$15,000 may be reserved for law school scholarships, at the discretion of the Court.

**3. Micronesian Legal Services**

Congress appropriated \$150,000 to contribute to the support of Micronesian Legal Services in FY 2007. Last year, the Committee decreased this to \$100,000. Your Committee recommends \$125,000 for FY2010 for Micronesian Legal Services.

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	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Total:</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$125,000</b>

**G. CAPITAL DEVELOPMENT PROJECTS**

	<b>FY 2009 Approp.</b>	<b>FY 2010 Proposed</b>	<b>Committee Recommends</b>
<b>Total:</b>	<b>\$0</b>	<b>\$25,000</b>	<b>\$50,000</b>

The President recommends funding National Election Commission Voter ID Card Project in the amount of \$25,000. The Commission had requested \$115,500 for this end. Your Committee recommends \$50,000 for voter registration with an emphasis to be placed on VAAP (Voting at another polling place, SPP (Special Polling places) and locations where there are is a high number of absentee voting such as Chuuk. The Committee requests that the Commission try to complete as much as possible by September 2010 with Chuuk being completed by that time.

**CONCLUSION**

With the modifications identified above, your Committee on Judiciary and Governmental Operations recommends authorizing those portions of the FY 2010 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/ Peter Sitan  
Peter Sitan, Chairman

/s/ Fredrico O. Primo  
Fredrico O. Primo, Vice Chairman

/s/ Dohsis Halbert  
Dohsis Halbert, Member

Isaac V. Figir, Member

/s/ Setiro Paul  
Setiro Paul, Member

/s/ Joe N. Suka  
Joe N. Suka, Member

/s/ Paliknoa K. Welly  
Paliknoa K. Welly, Member