

A RESOLUTION

Requesting respectfully that Pohnpei State repeal State Law No. 8L-90-16 pertaining to the return of certain lands deeded to the National Government and for the President of the FSM to initiate consultation to expeditiously resolve any dispute regarding land with Pohnpei State.

1 WHEREAS, in January 1985 Pohnpei State deeded by quitclaim
2 deed a parcel of land of about 134 acres described as Parcel No
3 018-8-01 to the National Government with the condition that within
4 five years the land be used as the national capital and official
5 residences; and

6 WHEREAS, the National Government set up the National Capital
7 on the land and built facilities for the three branches of
8 government and official residences for the heads of the branches;
9 and

10 WHEREAS Pohnpei State has adopted State Law No. 8L-90-16 to
11 authorize surveying of the land and any legal action necessary to
12 return unused portions of the land deeded to the National
13 Government beyond 100 feet of existing buildings; and

14 WHEREAS one main property right is the right of quiet
15 enjoyment; and

16 WHEREAS the law represents a political infringement of
17 the property rights granted by the 1985 quitclaim deed and
18 introduces uncertainty in the land tenure system of the FSM;
19 and

1 WHEREAS the law will result in disruption of the functioning
2 of the National Government; and

3 WHEREAS any issue between the National Government and a state
4 should be resolved by consultation; now, therefore,

5 BE IT RESOLVED that Congress hereby requests respectfully
6 that Pohnpei State repeal State Law No. 8L-90-16 in accordance
7 with its own constitutional process; and

8 BE IT FURTHER RESOLVED that the Congress request respectfully
9 that the President of the FSM initiate consultation with Pohnpei
10 State to resolve any issue pertaining to the land deeded to the
11 National Government, and to report to Congress on the progress
12 of said consultation by the next regular session of Congress;
13 and

14 BE IT FURTHER RESOLVED that certified copies of this
15 resolution be transmitted to the President of the Federated
16 States of Micronesia, the Governor of Pohnpei State and the
17 Pohnpei State Legislature.

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19 Date: 1/25/16

Introduced by: /s/ Wesley W. Simina
Wesley W. Simina

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