



PRESIDENTIAL COMM. NO. 16-72
The President FSM CONGRESS
Palikir, Pohnpei
Federated States of Micronesia

September 24, 2009

The Honorable Isaac V. Figir
Speaker
16th FSM Congress
Palikir, Pohnpei State, FM 96941

Dear Speaker Figir:


With reference to Congressional Act No. 16-6 which I have signed to become Public Law No. 16-6, I take the opportunity to convey to you a concern from the Executive that must be carefully reviewed. You will please recall that the Executive branch requested for a total of \$200,000, only half of which is appropriated by this act. The amount appropriated is clearly insufficient for FSM to comply with its contractual obligation as primary borrower from ADB. As you are aware, Congressional Act No. 16-10 which is the annual budget for FY 2010 also does not set aside any amount for ADB repayment.

I wish to bring to your attention that the loan agreement between FSM and ADB provides for an acceleration of loan maturity if repayment is not made in accordance with the terms of the agreement. Given the fact that FSM has not fulfilled its obligations under the agreement, ADB can potentially invoke the acceleration clause resulting in worse situation for the Nation.

I therefore recommend for both Congress and the Executive to support initiatives to bring FSM to honor its commitment under the loan agreement to avoid embarrassment and potential adverse action against it.

I look forward to your further consideration on this matter.

Sincerely,


Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM





CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 16-72
FSM CONGRESS

Office of the Chief Clerk



September 03, 2009

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. 16-6, "AN ACT TO APPROPRIATE THE SUM OF \$100,000, FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE PURPOSE OF FUNDING THE DEBT-SERVICING OF ASIAN DEVELOPMENT BANK LOAN, AND FOR OTHER PURPOSES.", which was passed by the Sixteenth Congress of the Federated States of Micronesia, First Special Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Liwiana K. Ramon".

Liwiana K. Ramon
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 16-72
FSM CONGRESS

SIXTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST SPECIAL SESSION
AUGUST 31 – SEPTEMBER 3, 2009

PUBLIC LAW No. 16-6

An Act

TO APPROPRIATE THE SUM OF \$100,000, FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE PURPOSE OF FUNDING THE DEBT-SERVICING OF ASIAN DEVELOPMENT BANK LOAN, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOE N. SUKA

DATE: SEPTEMBER 01, 2009

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – SEPTEMBER 2, 2009

FIRST READING: SEPTEMBER 2, 2009

SECOND READING: SEPTEMBER 3, 2009

Liwiana K. Ramon
Chief Clerk, FSM Congress



Office of the Speaker

*Congress of the
Federated States of Micronesia*

*Palikir, Pohnpei
Federated States of Micronesia*

PRESIDENTIAL COMM. NO. 16-72
FSM CONGRESS

ACT NO. 16-6

(CONGRESSIONAL BILL NO. 16-38, C.D.1, C.D.2)

We hereby certify that on September 3 the foregoing act passed Second and Final Reading of the Sixteenth Congress of the Federated States of Micronesia, First Special Session, 2009, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

A handwritten signature in black ink, reading "Isaac V. Figir".

Isaac V. Figir
Speaker
Congress of the
Federated States of Micronesia

A handwritten signature in blue ink, reading "Liwiana K. Ramon".

Liwiana K. Ramon
Chief Clerk
Congress of the
Federated States of Micronesia

SIXTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST SPECIAL SESSION, 2009 CONGRESSIONAL BILL NO. 16-38, C.D.1, C.D.2

PUBLIC LAW No. 16-6

AN ACT

To appropriate the sum of \$100,000, from the General Fund of the Federated States of Micronesia for the purpose of funding the debt-servicing of Asian Development Bank loan, and for other purposes.

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

1 Section 1. The sum of \$100,000, or so much thereof as may be
2 necessary, is hereby appropriated from the general fund of the
3 Federated States of Micronesia for the purpose of debt-servicing
4 to the Asian Development Bank.

5 Section 2. Allotment and Management of Fund. All funds
6 appropriated by this act shall be allotted, administered, and
7 accounted for in accordance with applicable law, including, but
8 not limited to the Financial Management Act of 1979. The allottee
9 of the funds appropriated by this Act shall be the President of
10 the Federated States of Micronesia or his designee. The allottee
11 or his designee shall be responsible for ensuring that these funds
12 are used in accordance with applicable law. No obligation shall
13 be incurred in excess of the sum appropriated herein.

14 Section 3. Lapse Date. The funds appropriated by this act
15 shall lapse on December 31, 2009.

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PUBLIC LAW No. 16-6

Section 4. Effective Date. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

September 23, 2009



Manny Mori
President
Federated States of Micronesia