December 3, 2012

The Honorable Isaac V. Figir
Speaker
17th FSM Congress
Palikir, Pohnpei FM 96941

Dear Speaker Figir:

The following Congressional Act is designated as Public Law No. 17-68:

Congressional Act No. 17-66, "AN ACT TO APPROPRIATE THE SUM OF $5,697,383 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR THE PURPOSE OF PAYING THE AMOUNT OWED BY THE STATE GOVERNMENTS TO FEMA AND TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, Pohnpei, and Chuuk, AND FOR OTHER PURPOSES."

For the record, the veto override did not resolve the concerns and the deficiencies I raised in the veto message. The override did not explain why the four states are treated differently in regard to the amount of public projects. There is no justification on why some states must repay the FEMA reimbursement when other states do not need to.

It is unfortunate that the Strategic Development Plan (SDP), which is a blueprint for our Nation's economic development, is ignored. The SDP is a multiyear plan. It was formulated through extensive consultations among the national government and the state governments. The Nation demands a continued commitment to the SDP. Until it is revised, the activities, projects, and programs of the national government must remain aligned to achieving the objectives set out in the SDP. It is not a sound public policy to divert from an established development plan to de facto fragmented and unfocused public spending.

Moreover, due to lack of transparency of public projects, I continue to express reservations on the process by which public projects are formulated. The fact that there are no public hearings, no consultations with the States, and no opportunities for comment from the Executive Branch indicates that publicly-funded projects and social programs are formulated in haste. Because there is no effective planning, repeated changes in the appropriation law have occurred almost every session of Congress.
The Honorable Isaac V. Figir  
December 3, 2012  
Page 2

I reiterate my humble request for Congress to consider creating transparent standards of public projects and social programs that recognize the Nation’s SDP.

With warm personal regards and an advance Season Greetings, I remain, 

[Signature]
President

Enclosures:

[Excerpts]
Chief Justice, FSM Supreme Court  
Secretary, Department of Justice  
Director, Office of SBOC  
Legislative Counsel, CFSM  
Library, CFSM  
PIO, FSM
November 26, 2012

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. 17-66, "AN ACT TO APPROPRIATE THE SUM OF $5,697,383 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR THE PURPOSE OF PAYING THE AMOUNT OWED BY THE STATE GOVERNMENTS TO FEMA AND TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, Pohnpei, and CHUUK, AND FOR OTHER PURPOSES.", which was repassed on November 24, by the Seventeenth Congress of the Federated States of Micronesia, Fourth Special Session, 2012, by a three-fourths vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

Enclosures
An Act

TO APPROPRIATE THE SUM OF $5,697,383 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR THE PURPOSE OF PAYING THE AMOUNT OWED BY THE STATE GOVERNMENTS TO FEMA AND TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, Pohnpei AND CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR PALIKNOA K. WELLY
DATE: NOVEMBER 14, 2012

REPASED: NOVEMBER 24, 2012

Liwiana Ramon Ioannis
Chief Clerk, FSM Congress
ACT NO. 17-66

(CONGRESSIONAL BILL NO. 17-192, C.D.1)

I hereby certify that on November 24 the foregoing act was repassed by the Seventeenth Congress of the Federated States of Micronesia, Fourth Special Session, 2012, 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.

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

To appropriate the sum of $5,697,383 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2013, for the purpose of paying the amount owed by the State Governments to FEMA and to fund public projects and social programs in the States of Yap, Kosrae, Pohnpei and Chuuk, and for other purposes.

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

1. Section 1. The sum of $5,697,383, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2013, for the purpose of paying the amount owed by the State Governments to FEMA and to fund public projects and social programs in the States of Yap, Kosrae, Pohnpei and Chuuk. The funds appropriated under this section shall be apportioned as follows:

2. Section 2. Of the sum of $5,697,383 appropriated by this act, $284,210 is apportioned to pay the amount owed by the State of Yap to FEMA and $600,000 is apportioned for public projects and social programs in the State of Yap.

(1) Amount owed by the State of Yap to FEMA

Provided that this amount shall be deemed an advance. The repayment of which shall be directed to the following projects: (a) Yap Southern water system improvement 250,000, (b) Kanifay Municipal office improvement 30,000 and (c) Kanifay Men's house repair.
CONGRESSIONAL BILL NO. 17-192, C.D.1

PUBLIC LAW No. 17-68

1 4,210". .......................... $ 284,210

2 (2) State of Yap....................... 600,000

3   (a) Fanif municipality multipurpose

4 recreation field supplemental ...................... 50,000

5   (b) Tafgif Rumu village road supplemental 40,000

6   (c) Falalop Ulithi youth center

7 renovation ........................................ 20,000

8   (d) Okau, Weloy road supplemental... 50,000

9   (e) Plaw road culvert ....................... 20,000

10  (f) Yapese medical students interns. 5,000

11   (g) Deployment of Fishing Aggregate

12 Device in Outer Islands ......................... 3,150

13   (h) Water extension & sewer for

14 Ifalik community in Makiy ........................ 50,000

15   (i) Neighboring Islands Central High

16 School computers (shipping & installation) ........ 20,000

17   (j) Satawal Island community boat and

18 motor and Fais Island community outboard motor .... 23,850

19   (k) Yap Catholic High School

20 construction supplemental ........................ 106,000

21   (l) Yap Chamber of Commerce ............ 30,000

22   (m) Yap Southern Water Authority

23   (purchase of equipment) ...................... 20,000

24   (n) Contribution to Falalop Woleai Youth 2,000

25   (o) Ngolog road construction

2 of 17
Section 3. Of the sum of $5,697,383 appropriated by this act, $15,197 is apportioned to pay the amount owed by the State of Kosrae to FEMA and $600,000 is apportioned for public projects and social programs in the State of Kosrae.

(1) Amount owed by the State of Kosrae to FEMA 15,197

(2) State of Kosrae 600,000

(a) Kosrae State Government subsidy (IMF matching, road & drainage maintenance, equipment) 100,000

(b) DREA economic projects and programs 40,000

(c) Kosrae Utility Authority for Power Extension 20,000

(d) Department of Health Services for pharmaceutical supplies 25,000

(e) Purchase of a dental chair for Kosrae State Hospital 35,000

(f) Department of Education (Classrooms' maintenance/matching for IMF funding) 20,000

(g) Department of Education (Youth program/activities) 5,000

(h) Kosrae Island Resource Management Authority subsidy 10,000

(i) Kosrae Conservation Society Organization subsidy 10,000
1  (j) Panyacak bridge improvement ...........................................$  15,000
2  and repair (IMF matching) .............................................
3  (k) Lelu municipal government subsidy  10,000
4  (l) Kosrae Island Veterans Association  20,000
5  (m) KHS lunch program...............................  40,000
6  (n) B.A. program.................................  20,000
7  (o) "We Care" referral program...........  20,000
8  (p) Multipurpose building in
9  Lelu municipality .................................................  20,000
10 (q) Road improvement (Wan Taf to Finkol)  10,000
11 (r) Sungankuta, Malem inner
12  road improvement ..................................................  5,000
13  (s) Kosrae Women Christian Association  5,000
14  (t) Kosrae Visitor's Bureau
15  (travel and promotion) .............................................  10,000
16  (u) Kosrae participants to the
17  2013 Women conference in Yap .........................  5,000
18  (v) Kosrae Utility Authority (staff
development & training) .............................................  20,000
19  (w) Kosrae Youth Associations (Fusr)  5,000
20  (x) Kosrae Special Parent Network (KSPN)  5,000
21  (y) Kosrae State Government's
22  contribution to Pacific Island Development Bank .....  30,000
23  (z) Yela Environment Landowners
24  Authority (YELA) .................................................  10,000

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CONGRESSIONAL BILL NO. 17-192, C.D.1

PUBLIC LAW No. 17-68

1 (aa) Tourist travel trail in Malem municipality ........................................... $ 5,000
2 (ab) Lelu farm road improvement
3 at Sruusr, Lelu .................................................. 10,000
4 (ac) Inkoenum, Utwe access and inner road project ......................... 15,000
5 (ad) Kings farm road project in Pilyaul, Malem ................................. 15,000
6 (ae) Tafunsak Municipal Government subsidy 10,000
7 (af) Tafeot Dam repair and water system improvement ......................... 10,000
8 (ag) Malem Municipal Government subsidy 10,000
9 (ah) Utwe Municipal Government subsidy 10,000

Section 4. Of the sum of $5,697,383 appropriated by this act, $219,116 is apportioned to pay the amount owed by the State of Pohnpei to FEMA and $1,200,000 is apportioned for public projects and social programs in the State of Pohnpei.

(1) Amount owed by the State of Pohnpei to FEMA ..................................... 219,116
(2) State of Pohnpei ........................................ 1,200,000
   (a) At-Large .................................................. 300,000
   (i) Pohnpei Road Improvement (material purchase, transportation and equipment rental, tools, etc) ........................................... 135,000

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<thead>
<tr>
<th></th>
<th>Description</th>
<th>Budget</th>
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<td>1</td>
<td>(ii) Payment of asphalt plant</td>
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<td>conveyor belt account by PTA to Ace Ocean company</td>
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<tr>
<td>3</td>
<td>(iii) Mountain trails (labor, tools, equipment)</td>
<td>$10,000</td>
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<tr>
<td>4</td>
<td>(iv) Waterways/channels</td>
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<tr>
<td>5</td>
<td>improvement (labor, POL, tools, equipment)</td>
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<tr>
<td>6</td>
<td>(v) Pohnpei Outer Islands</td>
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<tr>
<td>7</td>
<td>transportation needs (charter costs, fuel, channel clearing)</td>
<td>$30,000</td>
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<td>8</td>
<td>(vi) Aid to non-public high schools</td>
<td>$20,000</td>
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<tr>
<td>9</td>
<td>(vii) Pohnpei Sports facilities</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>improvement</td>
<td>$20,000</td>
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<tr>
<td>11</td>
<td>(viii) Historical sites</td>
<td></td>
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<tr>
<td>12</td>
<td>restoration/maintenance</td>
<td>$15,000</td>
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<tr>
<td>13</td>
<td>(ix) Traditional leaders</td>
<td></td>
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<tr>
<td>14</td>
<td>conference and travel needs</td>
<td>$20,000</td>
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<tr>
<td>15</td>
<td>(x) Civic leaders’ FSM State visit</td>
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<tr>
<td>16</td>
<td>(b) Election District No. 1</td>
<td>$300,000</td>
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<tr>
<td>17</td>
<td>(i) Road improvement - Kolonia</td>
<td>$90,000</td>
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<tr>
<td>18</td>
<td>(ii) Other road improvements</td>
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<tr>
<td>19</td>
<td>(iii) COM-FSM students’</td>
<td></td>
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<tr>
<td>20</td>
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<td>21</td>
<td>(iv) St. Paul school subsidy</td>
<td>$8,000</td>
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<tr>
<td>22</td>
<td>(v) Social Security premium</td>
<td></td>
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<tr>
<td>23</td>
<td>contribution</td>
<td>$15,000</td>
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(vi) Classroom upgrade

(Palikir school) ........................................... $ 12,000

(vii) Medical referrals (travel) 10,000

(viii) Need Assessment/monitoring-

Election District No. 1 ....................................... 43,000

(c) Election District No. 2 .................. 300,000

(i) Secondary road

upgrade/improvement ........................................... 125,000

(ii) Secondary road paving 30,000

(iii) Water System improvement ... 22,500

(iv) Students financial assistance 15,000

(v) High School Cooks .............. 12,000

(vi) Police Vehicle supplemental 8,000

(vii) Youth activities .............. 7,500

(viii) Women's activities/programs 7,500

(ix) Alekot Power extension..... 20,000

(x) Coral materials ............... 7,500

(xi) ED#2 subsidy .................. 30,000

(xii) Agriculture Fair

(Madolehnihmw/Kitti) .................. 10,000

(xiii) PVC materials ............... 5,000

(d) Election District No. 3 .......... 300,000

(i) Women Associations'

activities and equipment .............. 15,000

(ii) Youth Associations
activities and sporting equipment $15,000
   (iii) ED#3 Office subsidy $45,000
   (iv) Nett Secondary road improvement and maintenance $75,000
   (v) Water system projects improvement $15,000
   (vi) Youth/Community Center $15,000
   (vii) Dehpek/Takaiou students’ support $15,000
   (viii) Student Financial Assistance $15,000
   (ix) Medical referral support $10,000
   (x) Youth Sport facilities’ upgrade $15,000
   (xi) Pohnpei Senior Citizens Associations program/activities $5,000
   (xii) Farming equipment $15,000
   (xiii) General Road improvement and beautification $45,000"

Section 5. Of the sum of $5,697,383 appropriated by this act, $978,860 is apportioned to pay the amount owed by the State of Chuuk to FEMA and $1,800,000 is apportioned for public projects and social programs.

   (1) Amount owed by the State of Chuuk to FEMA PROVIDED THAT Chuuk State shall repay this amount in such a manner as will be agreed to between the allottee and the Chuuk State leadership $978,860
(2) State of Chuuk
   (a) At-Large
      (i) Community facilities/Infrastructure & Housing subsidy
      (ii) Chuuk Museum contribution
      (iii) Roads/Seawalls/Bridges repair and improvement
      (iv) Main water source lease obligation (Nefo)
      (v) Contributions to State, Municipal and Community events/activities/programs
      (vi) POL/Charters/Freight subsidy/reimbursements
      (vii) Youth Groups equipment/supplies/activities
      (viii) Leaders/Patients/Students/ repatriation of remains travel needs
      (ix) Administrative support costs for allottee/At Large
      (x) Fishing project
      (equipment/gears/marketing)
      (xi) Lien Pukial prior obligations
      (xii) Women Groups' sewing equipment/supplies
      (xiii) Farmers' seedlings & labor cost
1 obligations ................................................. $1,400
2 (xiv) Community/Students/farmers
3 land transportation ............................................. 25,000
4 (xv) Students financial
5 assistance/schools subsidy ..................................... 20,000
6 (xvi) Municipal government
7 subsidy (Elections/activities) .................................... 40,000
8 (xvii) Power distribution
9 extension matching fund .......................................... 20,000
10 (b) Election District No. 1 ................................. 300,000
11 (i) Professional services fee .................................. 15,000
12 (ii) Renewable Energy
13 project/Communication system ................................. 65,000
14 (iii) Mortlock Islands’ Sea vessel
15 purchase .............................................................. 65,000
16 (iv) Multipurpose public facilities,
17 community facilities, housing improvement and repair . 40,000
18 (v) Education, health and
19 sanitation programs & projects ................................. 30,000
20 (vi) Youth, Sports &
21 recreational programs/activities ............................... 10,000
22 (vii) Municipal government
23 special occasions activities ....................................... 10,000
24 (viii) Students financial assistance 20,000
25 (ix) Repatriation of remain/
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<th></th>
<th>Description</th>
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<tr>
<td>1</td>
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<tr>
<td>2</td>
<td>(x) Mortlock Island Development</td>
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<td>3</td>
<td>Authority (MIDA) operation</td>
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<td>(xi) Copra and Fish purchase</td>
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<td>Revolving Fund</td>
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<td>6</td>
<td>(c) Election District No. 2</td>
<td>300,000</td>
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<td>7</td>
<td>(i) Fishing Projects</td>
<td>20,000</td>
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<td>8</td>
<td>(ii) Nutrition and Food</td>
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<td>Security Enhancement Projects</td>
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<td>10</td>
<td>(iii) Housing renovation supplement</td>
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<td>11</td>
<td>(iv) Community Halls rehabilitation</td>
<td>25,000</td>
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<tr>
<td>12</td>
<td>(v) Weno Municipality</td>
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<tr>
<td>13</td>
<td>Transportation needs &amp; Office Rehabilitation</td>
<td>30,000</td>
</tr>
<tr>
<td>14</td>
<td>(vi) Fono Municipality subsidy</td>
<td>10,000</td>
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<tr>
<td>15</td>
<td>(vii) Piis-Paneu Municipality subsidy</td>
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<td>(viii) Regional Leadership</td>
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<td>17</td>
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<td>(ix) College students'</td>
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<td>20</td>
<td>(x) Youth Community activities</td>
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<td>21</td>
<td>(xi) Northern Namoneas Social and Economic Development Authority Administration</td>
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<td>22</td>
<td>(xii) Roads upgrade &amp; rehabilitation</td>
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<td>(xiii) Power Distribution</td>
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<td>1</td>
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<td>(ii) Housing project</td>
<td>$30,000</td>
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<td>(iii) Community Halls rehabilitation</td>
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<td></td>
<td>(iv) Southern Namoneas Development</td>
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<td>Authority Administration</td>
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<td>(v) Contribution/Repatriation of remain/Associations support (Guam/Saipan/Hawaii/United States/Southern Namoneas)</td>
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<tr>
<td>10</td>
<td>(vi) Reimbursement for POL/Charters</td>
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<td>(vii) Contribution to Social</td>
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<td>12</td>
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<td>(viii) Reimbursement payment for</td>
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<td>14</td>
<td>Lease/Rental obligation</td>
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<td>(ix) Business start</td>
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<td>16</td>
<td>up/Entrepreneurship subsidies</td>
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<tr>
<td>17</td>
<td>(x) Youth/School sports &amp; activities</td>
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<tr>
<td>18</td>
<td>(xi) Solar power lighting system</td>
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<tr>
<td>19</td>
<td>(xii) Students land transportation</td>
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<tr>
<td>20</td>
<td>needs/vehicle purchase for local government</td>
<td>$15,000</td>
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<td>(xiii) Municipal/Community</td>
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<tr>
<td>22</td>
<td>health and sanitation water improvement projects</td>
<td>$7,500</td>
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<tr>
<td></td>
<td>(xiv) Humanitarian/Food Aid relief</td>
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<tr>
<td>24</td>
<td>program for Community/ municipalities</td>
<td>$10,000</td>
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(xv) Medical/medication contribution to non-insured and unemployed Senior Citizens $7,500
(xvi) Feeding program for Handicap/Disable elderly $5,000
(xvii) Travel needs for students/referral patients/leaders $20,000
(xviii) Contributions to Southern Namoneas off-island chartered associations $10,000
(xiv) Municipal governments subsidies $10,000
(e) Election District No. 4 $300,000
(i) Fishing projects $40,000
(ii) Low income housing subsidy $30,000
(iii) Farming project subsidy $30,000
(iv) Students financial assistance $15,000
(v) Faichuk Development Authority (Contractual services/Administration) $20,000
(vi) Medical referral and repatriation of remains $10,000
(vii) Municipal governments' subsidies $70,000
(viii) Sewing project subsidy $10,000
(ix) Youth activities and programs $15,000
(x) Road improvement and beautification $10,000
(xi) States and Municipal leadership exposure and travel $15,000
(xii) Eipweip fishing market subsidy $ 5,000
(xiii) Students and farmers
land transportation ................................................. 20,000
(xiv) Solar system project........... 5,000
(xv) Fiber boat repair project.. 5,000
(f) Election District No. 5 .......... 300,000
(i) Fishing projects............. 100,000
(ii) Northwest Islands
Development Authority Administration ......................... 38,000
(iii) Food relief assistance program 28,000
(iv) Officials/patients and
other travel needs ................................................. 18,000
(v) Payment for students’
outstanding debt at COM-FSM, University of Hawaii
at Hilo and Hawaii Pacific University ................. 14,000
(vi) Vehicles purchase for
municipal governments ............................................. 14,000
(vii) Contributions to
Northwest Islands Associations ......................... 30,000
(viii) Boat charter/medical
referral travel reimbursements ......................... 10,000
(ix) Onoun Women Association
contribution ................................................. 8,000
(x) Pollap Dispensary solar
power project supplemental ................................. 2,000
CONGRESSIONAL BILL NO. 17-192, C.D.1

PUBLIC LAW NO. 17-68

(xi) Shoreline mitigation project $ 2,000
(xii) Tupwunoil office rental.... 6,000
(xiii) Boat charters/POL.......... 20,000
(xiv) Contributions to municipal events/activities ..................... 5,000
(xv) Community Hall............. 5,000"

Section 6. Allotment and management of funds and lapse date. All funds appropriated by this act shall be allotted, managed, administered and accounted for in accordance with applicable laws, including, but not limited to, the Financial Management Act of 1979. The allottee shall be responsible for ensuring that these funds, or so much thereof as may be necessary, are used solely for the purpose specified in this act, and that no obligations are incurred in excess of the sum appropriated. The allottee of the funds appropriated under section 2 of this act shall be the Governor of Yap State. The allottee of funds appropriated under sections 3 and 4 of this act shall be the President of the Federated States of Micronesia or his designee, EXCEPT THAT the allottee of funds appropriated under subsection 1 of section 3 of this act shall be the Governor of Kosrae State, the allottee of funds appropriated under subsection 3(2)(p) of this act shall be the Mayor of Lelu Municipal Government or his designee and the allottee of funds appropriated under subsection 1 of section 4 of this act shall be the Governor of Pohnpei State. The
allottee of funds appropriated under subsection 5(1) of this act shall be the President of the Federated States of Micronesia or his designee. The allottee of funds appropriated under subsection 5(2)(a) of this act shall be the Governor of Chuuk State or his designee. The allottee of funds appropriated under subsection 5(2)(b) of section 5 of this act shall be the Mortlock Islands Development Authority. The allottee of funds appropriated under subsection 5(2)(c) of section 5 of this act shall be the Executive Director of the Northern Namoneas Social and Economic Development Authority or his designee. The allottee of funds appropriated under subsection 5(2)(d) of section 5 of this act shall be the Faichuk Development Authority. The allottee of funds appropriated under subsection 5(2)(e) of section 5 of this act shall be the Southern Namoneas Development Authority. The allottee of funds appropriated under subsection 5(2)(f) of this act shall be the Northwest Island Development Authority. The authority of the allottee to obligate funds appropriated by this act shall lapse on September 30, 2014.
Section 7. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

[Signature]
Manny Mori
President
Federated States of Micronesia

Override of Line Item Vet
OF PL 17-67