January 11, 2013

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

Dear Speaker Figir:

I reluctantly sign the following Congressional Act to become Public Law No.17-71 pursuant to Article IX Section 22 of the FSM Constitution:

Congressional Act No. 17-74, “AN ACT TO AMEND SECTIONS 2, 3, 4, 5 AND 6 OF PUBLIC LAW NO. 17-68 FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, Pohnpei AND Chuuk, AND FOR OTHER PURPOSES.”

I reiterate my disappointment over a lack procedure that ensures transparency in approving public projects and social programs. The original appropriation - Public Law No. 17-68 - was item vetoed by the President because there was no public hearing to ensure a transparent process. Nevertheless, it became law because of a veto override. The amendments in the congressional act were also approved without public hearing and consultation. (Attached is a copy of my transmittal for Public Law No. 17-68, for ready reference.)

This particular amendment is an example of what happens when things are done in haste and when there are no public hearings. Similar to prior public projects and social programs, there is no report that explains why the amendments are needed. Consequently, the National Government appears ineffective in planning projects and programs that bring real economic benefits to our people.

Moreover, the National Government needs to implement the Strategic Development Plan (SDP) as blueprint of economic development, and link government activities to it. Once again, I urge Congress to abide by the SDP as our Nation’s guide towards economic development.
The Honorable Isaac V. Figir
January 11, 2013
Page 2

With warm personal regards, I remain,

Sincerely,

Manny Mori
President

Enclosures:

xc: Chief Justice, FSM Supreme Court
   Acting Secretary, Department of Justice
   Director, Office of SBOC
   Legislative Counsel, CFSM
   Library, CFSM
   PIO, FSM
January 11, 2013

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. 17-74, "AN ACT TO AMEND SECTIONS 2, 3, 4, 5 AND 6 OF PUBLIC LAW NO. 17-68 FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, Pohnpei AND CHUUK, AND FOR OTHER PURPOSES.", which was passed by the Seventeenth Congress of the Federated States of Micronesia, Sixth Regular Session, 2013, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

Enclosures
An Act

TO AMEND SECTIONS 2, 3, 4, 5 AND 6 OF PUBLIC LAW NO. 17-68 FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, POHNPEI AND CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: TIWITER ARITOS
DATE: MAY 24, 2012

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – JANUARY 9, 2013
FIRST READING: JANUARY 9, 2013
SECOND READING: JANUARY 10, 2013

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
ACT NO. 17-74

(CONGRESSIONAL BILL NO. 17-206, C.D.1)

We hereby certify that on January 10 the foregoing act passed Second and Final Reading of the Seventeenth Congress of the Federated States of Micronesia, Sixth Regular Session, 2013, 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.

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

Liwiana Ramon Ioanis
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To amend sections 2, 3, 4, 5 and 6 of Public Law No. 17-68 for the purpose of changing the use and allottee of certain funds previously appropriated 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. Section 2 of Public Law No. 17-68 is hereby amended to read as follows:

"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

4,210 ........................................ 284,210

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

(a) Fanif municipality multipurpose recreation field supplemental ............ 50,000

(b) Toruf Rumu village road supplemental 40,000
(c) Falalop Ulithi youth center renovation .................................. $ 20,000
(d) Okau, Weloy road supplemental .................................. 50,000
(e) Plaw road culvert ............................................. 20,000
(f) Yapese medical students interns ................................ 5,000
(g) Deployment of Fishing Aggregate Device in Outer Islands ................. 3,150
(h) Water extension & sewer for Ifalik community in Makiy ............... 50,000
(i) Neighboring Islands Central High School computers (shipping & installation) 20,000
(j) Satawal Island community boat and motor and Fais Island community outboard motor for residents in the two respective islands. 23,850
(k) Yap Catholic High School construction supplemental .................... 106,000
(l) Yap Chamber of Commerce ......................... 30,000
(m) Yap Southern Water Authority (purchase of equipment) .................. 20,000
(n) Contribution to Falalop Woleai Youth .................................................. 2,000
(o) Ngolog road construction and equipments rental .................... 10,000
(p) Dock construction ............................................. 47,000
(q) Rumung water channel restoration .................................. 30,000
1. Milew Community House
   repair supplemental ....................... $ 13,000
2. Woleai runway repair supplemental 20,000
3. Amin, Maap community project ... 30,000
4. Yap Government employees Credit
5. Union (YGECU) subsidy ...................... 10,000"

Section 2. Section 3 of Public Law No. 17-68 is hereby amended to read as follows:

"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 ....................... 0
(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
(j) Panyacah bridge improvement
and repair (IMF matching) .................. 15,000
(k) Lelu municipal government subsidy 10,000
(l) Kosrae Island Veterans Association 20,000
(m) KHS lunch program .................... 40,000
(n) B.A. program ............................ 20,000
(o) "We Care" referral program ...... 20,000
(p) Multipurpose building in
Lelu municipality ......................... 20,000
(q) Road improvement (Wan Taf to Finkol) 10,000
(r) Sungankuta, Malem inner
road improvement .......................... 5,000
(s) Kosrae Women Christian Association 5,000
(t) Kosrae Visitor's Bureau
(travel and promotion) ..................... 10,000
(u) Kosrae participants to the 2013 Women conference in Yap .......... $5,000
(v) Kosrae Utility Authority subsidy 40,000
(w) Kosrae Youth Associations (Fusr) 5,000
(x) Kosrae Special Parent Network (KSPN) 5,000
(y) Kosrae State Government's contribution to Pacific Island Development Bank ..................... 30,000
(z) Yela Environment Landowners Authority (YELA) ......................... 10,000
(aa) Tourist travel trail in Malem municipality ......................... 5,000
(ab) Lelu farm road improvement at Sruusr, Lelu ......................... 10,000
(ac) Inkoenum, Utwe access and inner road project ..................... 15,000
(ad) Kings farm road project in Pilyaul, Malem ......................... 15,000
(ae) Tafunsak Municipal Government subsidy ......................... 10,000
(af) Tafeot Dam repair and water system improvement .................. 10,000
(ag) Malem Municipal Government subsidy ......................... 10,000
(ah) Utwe Municipal
Government subsidy .................. $ 10,000

Section 3. Section 4 of Public Law No. 17-68 is hereby amended to read as follows:

"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

(ii) Payment of asphalt plant conveyor belt account by PTA to Ace Ocean company .. 15,000

(iii) Mountain trails (labor, tools, equipment) .................. 10,000

(iv) Waterways/channels improvement (labor, POL, tools, equipment) 10,000

(v) Pohnpei Outer Islands transportation needs (charter costs, fuel, channel clearing) .................. 30,000

(vi) Aid to non-public high schools 20,000
(vii) Pohnpei Sports facilities improvement ....................... $ 20,000
(viii) Historical sites restoration/maintenance .................. 15,000
(ix) Traditional leaders conference and travel needs .......... 20,000
(x) Civic leaders' FSM State visit .................................. 25,000
(b) Election District No. 1 ........... 300,000
(i) Road improvement- Kolonia 90,000
(ii) Other road improvements 100,000
(iii) COM-FSM students'
outstanding debt payment ...................... 22,000
(iv) St. Paul school subsidy 8,000
(v) Social Security premium
contribution ........................................... 15,000
(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) Akahk/Enipoas road ........... 15,000
(ii) Rohi water system road .... 15,000
(iii) Metipw/Dolopwail road ...... 20,000
(iv) Nan Woalin Pahloang road  $ 15,000
(v) Pwoai Pwoai water system road 15,000
(vi) Temwen/Poasihloa road paving 30,000
(vii) Toamwaoroahlong water system improvement ..................... 7,500
(viii) Sapwalapw water system improvement ..................... 5,000
(ix) Pwook water system improvement 10,000
(x) Students financial assistance 15,000
(xi) High School Cooks (Madolenihmw)
High school/Nanpei Memorial High School) .. 12,000
(xii) Police Vehicle supplemental 8,000
(xiii) Youth activities ............ 7,500
(xiv) Women's activities/programs 7,500
(xv) Alekot Power extension .... 20,000
(xvi) Takaieu/Madolenihmw
Power extension ............................ 20,000
(xvii) Coral materials ............... 7,500
(xviii) ED#2 subsidy (administrative support and other current expenses) ......... 30,000
(xix) Agriculture Fair
(Madolenihmw/Kitti) .................. 5,000
(xx) PVC materials ............... 5,000
(xxi) Hydraulic Trailer mounted rig & accessories ............... 15,000
CONGRESSIONAL BILL NO. 17-206, C.D.1

1  (xxii) Box culvert/bridge ........ $ 15,000
2  (d) Election District No. 3 .......... 300,000
3  (i) Women Associations’
4  activities and equipment .............. 15,000
5  (ii) Youth Associations
6  activities and sporting equipment ...... 15,000
7  (iii) ED#3 Office subsidy ............ 45,000
8  (iv) Nett Secondary road
9  improvement and maintenance .......... 75,000
10  (v) Water system projects
11  improvement .......................... 15,000
12  (vi) Youth/Community Center ....... 15,000
13  (vii) Dehpek/Takaiou students’
14  support .............................. 15,000
15  (viii) Student Financial Assistance 15,000
16  (ix) Medical referral support .. 10,000
17  (x) Youth Sport facilities’ upgrade 15,000
18  (xi) Pohnpei Senior Citizens
19  Associations program/activities ........ 5,000
20  (xii) Farming equipment .............. 15,000
21  (xiii) General Road improvement
22  and beautification .................... 45,000"
23  Section 4. Section 5 of Public Law No. 17-68 is hereby
24  amended to read as follows:
25  “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 $ 1,800,000

(a) At-Large $ 300,000

(i) Community facilities/Infrastructure & Housing subsidy $ 30,000

(ii) Chuuk Museum contribution $ 5,000

(iii) Roads/Seawalls/Bridges repair and improvement $ 25,000

(iv) Main water source lease obligation (Nefo) $ 7,000

(v) Contributions to State, Municipal and Community events/

activities/programs $ 42,000

(vi) POL/Charters/Freight subsidy/reimbursements $ 25,600

(vii) Youth Groups equipment/supplies/activities $ 15,000

(viii) Leaders/Patients/Students/
repatriation of remains travel needs ..... $  23,000
(ix) Administrative support

costs for allottee/At Large .................  7,000
(x) Fishing project
(equipment/gears/marketing) ...................  27,000
(xi) Lien Pukial prior obligations  5,000
(xii) Women Groups' sewing

equipment/supplies ..........................  3,000
(xiii) Farmers' seedlings & labor

cost obligations .............................  1,400
(xiv) Community/Students/farmers

land transportation ..........................  18,000
(xv) Students financial

assistance/schools subsidy ....................  0
(xvi) Municipal government

subsidy (Elections/activities) ...............  46,000
(xvii) Power distribution

extension matching fund .......................  20,000
(b) Election District No. 1 ........  300,000
(i) Professional services fee  15,000
(ii) Renewable Energy

project/Communication system ...............  65,000
(iii) Mortlock Islands' Sea

vessel purchase ............................. 100,000
(iv) Multipurpose public
facilities, community facilities, housing improvement and repair .................. $ 40,000
(v) Education, health and sanitation programs & projects ............... 10,000
(vi) Youth, Sports & Recreational programs/activities .......... 0
(vii) Municipal government special occasions activities .............. 10,000
(viii) Students financial assistance 20,000
(ix) Repatriation of remain/
Associations contributions .................. 15,000
(x) Mortlock Island Development
Authority (MIDA) operation .................. 25,000
(xi) Copra and Fish purchase
Revolving Fund .................................. 0
(c) Election District No. 2 ............ 300,000
(i) Fishing Projects ................. 20,000
(ii) Nutrition and Food
Security Enhancement Projects ............... 15,000
(iii) Housing renovation supplement 25,000
(iv) Community Halls
rehabilitation ................................. 25,000
(v) Weno Municipality Transportation needs & Office Rehabilitation .......... 30,000
(vi) Fono Municipality subsidy . 10,000

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<th>Description</th>
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<td>1</td>
<td>(vii) Piis-Paneu Municipality subsidy</td>
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<td>(viii) Regional Leadership outreach visits</td>
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<td>6</td>
<td>(ix) College students' financial assistance</td>
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<td>7</td>
<td>(x) Youth Community activities</td>
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<td>8</td>
<td>(xi) Northern Namoneas Social and Economic Development Authority Administration</td>
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<td>10</td>
<td>(xii) Roads upgrade &amp; rehabilitation</td>
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<td>12</td>
<td>(xiii) Power Distribution Extension matching fund</td>
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<td>14</td>
<td>(xiv) Weno Constitution Day and Inauguration Day festivities</td>
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<td>(xv) Acquisition of heavy equipment for road repair</td>
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<td>(d) Election District No. 3</td>
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<td>18</td>
<td>(i) Fishing projects</td>
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<td>(ii) Housing project</td>
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<td>(iii) Community Halls rehabilitation</td>
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<td>22</td>
<td>(iv) Southern Namoneas Development Authority Administration</td>
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<td>24</td>
<td>(v) Contribution/Repatriation of remain/Associations support</td>
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1. States/Southern Namoneas) ........................ 10,000
2. (vi) Reimbursement for POL/Charters 5,000
3. (vii) Contribution to Social Security premium ........................... 5,000
4. (viii) Reimbursement payment for Lease/Rental obligation ............. 10,000
5. (ix) Business start up/Entrepreneurship subsidies ...................... 10,000
6. (x) Youth/School sports & activities 10,000
7. (xi) Solar power lighting system 10,000
8. (xii) Students land transportation needs/vehicle purchase for local government 15,000
9. (xiii) Municipal/Community health and sanitation water improvement projects 7,500
10. (xiv) Humanitarian/Food Aid relief program for Community/ municipalities ..... 10,000
11. (xv) Medical/medication contribution to non-insured and unemployed Senior Citizens 7,500
12. (xvi) Feeding program for Handicap/Disable elderlylies ............... 5,000
13. (xvii) Travel needs for students/referral patients/leaders ............ 20,000
14. (xviii) Contributions to Southern Namoneas off-island chartered associations 10,000
15. (xiv) Municipal governments
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<th>Description</th>
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<td>6</td>
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<td>(v) Faichuk Development Authority</td>
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<td>(vi) Medical referral and repatriation of remains</td>
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<td>(vii) Municipal governments' subsidies</td>
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<td>(viii) Sewing project subsidy</td>
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<td>(ix) Youth activities and programs</td>
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<td>13</td>
<td>(x) Road improvement and beautification</td>
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<td>(xi) States and Municipal leadership exposure and travel</td>
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<td>(xii) fishing market subsidy</td>
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<td>(xiii) Students and farmers</td>
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<td>18</td>
<td>(xiv) Solar system project</td>
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<td>(xv) Fiber boat repair project</td>
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<td>(f) Election District No. 5</td>
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<td>21</td>
<td>(i) Fishing projects</td>
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<td>22</td>
<td>(ii) Northwest Islands</td>
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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) Onun Women Association contribution ............................. 8,000

(x) Pollap Dispensary solar power project supplemental .............. 2,000

(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 5. Section 6 of Public Law No. 17-68 is hereby amended to read as follows:
"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 Southern Namoneas Development Authority or its designee. The allottee of funds appropriated under subsection 5(2)(e) of section 5 of this act shall be the Faichuk Development Authority or its designee. 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 6. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.