January 17, 2013

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

Dear Speaker Figir:

I am pleased to transmit the following Congressional Act, which I signed to become Public Law No. 17-72:

Congressional Act No. 17-75, "AN ACT TO AMEND THE TITLE AND SECTION 12 OF PUBLIC LAW NO. 17-64, AS AMENDED BY PUBLIC LAW NO. 17-69, IN ORDER TO OFFER TECHNICAL AMENDMENTS AND TO CHANGE THE ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

The Act attempts to rectify errors in the allottee for the Reimbursement to EU and Members and Staff Travel under Section 8 of the FY2013 Budget Act. In the process of rectifying these errors, further error is committed through section 1 of the Act. Section 1 should amend the title of Public Law No. 17-69, which contained an erroneous title with the omission of reference to section 9. Since the title of Public Law No. 17-64 contains no error, no amended is needed.

This again is another example of hasty amendment made without public hearing and consultation. Hence, I reiterate the concerns I repeatedly raised before including my transmittal of various public laws on December 28, 2012. Because the errors in the Act do not rise to the level of constitutional defect, I grudgingly signed it to become law. However, we need to implement better coordination and more transparent practices to avoid repetitious mistakes in the future.

With warm personal regards, I remain,

Sincerely,

Manny Mori  
President

Enclosures:

Xc: Chief Justice, FSM Supreme Court  
Secretary, Department of Justice  
Director, Office of SBOC  
Legislative Council, CFSM  
Library, CFSM  
PIO, FSM
January 14, 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. 17-75, "AN ACT TO AMEND THE TITLE AND SECTION 12 OF PUBLIC LAW NO. 17-64, AS AMENDED BY PUBLIC LAW NO. 17-69, IN ORDER TO OFFER TECHNICAL AMENDMENTS AND TO CHANGE THE ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, 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 THE TITLE AND SECTION 12 OF PUBLIC LAW NO. 17-64, AS AMENDED BY PUBLIC LAW NO. 17-69, IN ORDER TO OFFER TECHNICAL AMENDMENTS AND TO CHANGE THE ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: DOHSIS HALBERT
DATE: JANUARY 8, 2013

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. 17-75

(CONGRESSIONAL BILL NO. 17-207)

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 Ioannis
Chief Clerk
Congress of the Federated States of Micronesia
To amend the title and section 12 of Public Law No. 17-64, as amended by Public Law No. 17-69, in order to offer technical amendments and to change the allottee of certain funds previously appropriated therein, and for other purposes.

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

1. Section 1. The title of Public Law No. 17-64 is hereby amended to read as follows:

   "To amend sections 1, 2, 3, 8, 9 and 12 of Public Law No. 17-64 in order to appropriate $2,253,200 in supplemental funding for the fiscal year ending September 30, 2013; to align the budget act with Amended Compact Grant awards and Supplemental Education Grant award; to assign an allottee; and for other purposes."

2. Section 2. Section 12 of Public Law No. 17-64, as amended by Public Law No. 17-69, is hereby further amended to read as follows:

   "Section 12. Allotment and management of funds and lapse dates.

   (1) General Provisions.

   (a) All funds appropriated by this act shall be allotted, managed, administered and accounted for in accordance with applicable law, including, but not limited to, the Financial Management Act of 1979."
(b) The allottees shall be responsible for ensuring that these funds, or so much thereof as may be necessary, are used solely for the purposes specified in this act, and that no obligations are incurred in excess of the sums appropriated.

(2) Allottees. The allottees of the funds appropriated by this act are as follows:

(a) Section 2 - the allottee of these funds shall be the President of the Federated States of Micronesia;

(b) Section 3 - the allottee of these funds shall be the Speaker of the Congress of the Federated States of Micronesia;

(c) Section 4 - the allottee of these funds shall be the Chief Justice of the Supreme Court of the Federated States of Micronesia;

(d) Section 5 - the allottee of these funds shall be the Public Auditor of the Federated States of Micronesia;

(e) Sections 6 through 9 - the allottee of these funds shall be the President of the Federated States of Micronesia; PROVIDED, HOWEVER, that for the following subsections of sections 8 through 9 of this act:

(i) Section 8, subsection (13)(a) through
(d) - the allottee of these funds shall be the Chief Justice of the respective State Supreme Court,

(ii) Section 9(1)(a) - the allottee of these funds shall be the President of the College of Micronesia-FSM.

(iii) Section 8, subsection (13)(u) - the allottee of these funds shall be the President of the Federated States of Micronesia.

(iv) Section 8, subsection (13)(v) - the allottee of these funds shall be the Speaker of the Congress of the Federated States of Micronesia.

(3) Lapse Date. The authority of the allottees to obligate funds appropriated by this act shall lapse as of September 30, 2013; PROVIDED, HOWEVER, that the funds appropriated under section 9 of this act shall not lapse."
Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

January 17, 2013

Manny Mori
President
Federated States of Micronesia