



The President
Tokio Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 18-210
FSM CONGRESS

January 30, 2014

The Honorable Dohsis Halbert
Speaker
18th FSM Congress
Palikir, Pohnpei FM 96941

Dear Speaker Halbert:

I am returning the following Congressional Acts, which I have signed to become public laws as follows:

Congressional Act No. 18-36 as Public Law No. 18-36: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-36, AS AMENDED BY PUBLIC LAWS NOS. 17-48, 17-78 AND 17-87, BY AMENDING SECTIONS 4 AND 6 THEREIN, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI AND CHUUK, AND FOR OTHER PURPOSES."

Congressional Act No. 18-37 as Public Law No. 18-37: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-80, AS AMENDED BY PUBLIC LAWS NOS. 16-04 AND 17-53, BY AMENDING SECTIONS 1 AND 2 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES."

Congressional Act No. 18-41 as Public Law No. 18-38: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14 AND 18-31, BY AMENDING SECTIONS 3, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP AND POHNPEI, AND FOR OTHE PURPOSES."

Congressional Act No. 18-36 changes an appropriation for the public project for Pohnpei ED#1 and shifts it to a new line item. For Chuuk, the designated allottee of funds for ED#2 is changed from the Executive Director of Northern Namoneas Social and Economic Development Authority to the Governor of Chuuk.

Congressional Act No. 18-37 changes the amounts of certain public projects and social programs for Chuuk ED #2 and inserts a new *Fishing Project*. The designation of allottee for Chuuk is also changed from the CSCIP to the various authorities.

In Congressional Act No. 18-41, funding for the *Yap Congressional Delegation Citizen Outreach Program* is shifted to the Yap State Copra Subsidy Supplemental.

The Honorable Dohsis Halbert
January 30, 2014
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I reviewed all of the above Acts, which share the following common characteristics:


1. There were no public hearings or committee reports.
2. There have been multiple amendments to the original appropriations. The multiple amendments result in confusion as to the true intention of Congress for the public projects and programs, and create difficulties in implementation of the projects and programs, such as tracking the multiple changes.
3. There were changes of recipients and purposes, in most of the Acts, without clear justification or reasoning.

The above Acts are further examples of defective appropriation of public projects and social programs. As I stated in prior transmittals, it would be most helpful if Congress would set a policy limiting subsequent amendments to a maximum of only three per Act in order to avoid the problems as outlined above.

Notwithstanding the defects stated above and in view of my agreement in our meeting with Congress held earlier this week to move forward on the implementation of appropriations for public projects currently passed or being passed by Congress, I remind Congress that I will be forced to hold up implementation of subsequent public projects, if they fail to have enough specificity, fail to state the purpose, etc., or violate the Udot case, in order to obtain further clarification and direction from Congress to assure effective and efficient implementation. Therefore, I continue to urge Congress to make the necessary changes to improve the appropriation process that is impacting effective implementation of public projects, including the holding of pre-passage consultations with constituents, holding public hearings, and providing committee reports.

With warm personal regards, I remain,

Sincerely,


Manny Mori
President

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



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3
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Office of the Chief Clerk

January 27, 2014

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. 18-41, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14 AND 18-31, BY AMENDING SECTIONS 3, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP AND POHNPEI, AND FOR OTHER PURPOSES", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Third Regular Session, 2014, by a two-thirds vote of all the State delegations as required and as duly certified.

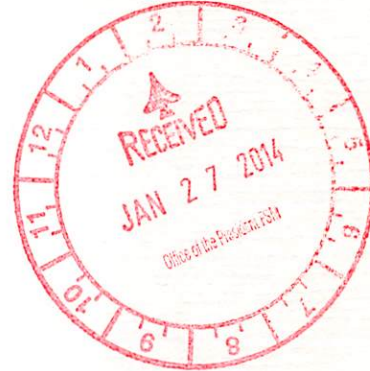
Sincerely yours,

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

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

Enclosures

PRESIDENTIAL COMM. NO. 18-210
FSM CONGRESS





PUBLIC LAW No. 18-38

EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
THIRD REGULAR SESSION
JANUARY 10 - 29, 2014

PRESIDENTIAL COMM. NO. 18-210
FSM CONGRESS

An Act

TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14 AND 18-31, BY AMENDING SECTIONS 3, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP AND POHNPEI, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: BERNEY MARTIN

DATE: JANUARY 10, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – JANUARY 15, 2014

FIRST READING: JANUARY 15, 2014

SECOND READING: JANUARY 22, 2014

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis", is written over a horizontal line.

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



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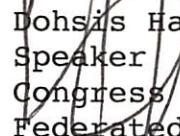
Office of the Speaker


PRESIDENTIAL COMM. NO. 18-210
FSM CONGRESS

ACT NO. 18-41

(CONGRESSIONAL BILL NO. 18-116)

We hereby certify that on January 22 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Third Regular Session, 2014, 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.


Dohsis Halbert
Speaker
Congress of the
Federated States of Micronesia


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

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 2014

CONGRESSIONAL BILL NO. 18-116

PUBLIC LAW No. 18-38

AN ACT

To further amend Public Law No. 18-05, as amended by Public Laws Nos. 18-07, 18-14 and 18-31, by amending sections 3, 4 and 6 thereof, for the purpose of changing the use and allottee of certain funds previously appropriated therein to fund public projects and social programs in the States of Yap and Pohnpei, and for other purposes.

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

1 Section 1. Section 3 of Public Law No. 18-05, as amended
2 by Public Laws Nos. 18-07 and 18-14, is hereby further amended
3 to read as follows:

4 "Section 3. Of the sum of \$2,500,000 appropriated
5 by this act, \$400,000 is apportioned for Yap State
6 for public projects and social programs.

7 (1) State of Yap \$ 400,000

8 (a) Yap Catholic High school
9 construction supplement grant 150,000

10 (b) Outer Island FADs
11 deployment supplemental 2,257

12 (c) Woleai atoll fishing nets 15,000

13 (d) Island Mortuary Services debt payment 20,000

14 (e) Council of Tamol office (equipment,
15 supplies and air conditioners) 5,000

16 (f) Outer Islands' women organizations:

17 (i) Precinct fifteenth 5,000

18 (ii) Precinct fourteenth 5,000

19 (iii) Precinct thirteenth 5,000

1	(iv) Precinct twelve	\$ 5,000
2	(g) Piig Elementary school fund raising	1,000
3	(h) Falalap, Woleai Elementary school	
4	fund raising	1,743
5	(i) Elato water catchment improvement	55,000
6	(j) Yap Congressional Delegation	
7	Citizen outreach program	-0-
8	(k) Supplemental funding for	
9	Repair and upgrade of Tegailap and	
10	Seliap Islands community centers	27,000
11	(l) Supplemental funding for Ngulog	
12	road and Men's house	16,150
13	(m) Daboch community building renovation	35,000
14	(n) Wottegai road supplemental	4,000
15	(o) Satawal boat and motor supplemental	5,000
16	(p) Yochafang choir musical instrument	2,500
17	(q) Yap State Copra Subsidy	
18	Supplemental	40,350"
19	Section 2. Section 4 of Public Law No. 18-05, as amended	
20	by Public Laws Nos. 18-07 and 18-31, is hereby further amended	
21	to read as follows:	
22	"Section 4. Of the sum of \$2,500,000 appropriated by	
23	this act, \$700,000 is apportioned for Pohnpei State for	
24	public projects and social programs.	
25	State of Pohnpei	700,000

1	(1) Pohnpei at Large	\$ 205,000
2	(a) Pohnpei secondary road improvement	55,000
3	(b) Sport facilities improvement ...	50,000
4	(c) Pohnpei Sports (equipment,	
5	supplies, umpire fees	25,000
6	(d) Pohnpei roads and bridges	
7	improvement	25,000
8	(e) FSM Constituency visit by Pohnpei	
9	Delegation	25,000
10	(f) Hosting of traditional/civic	
11	leaders' conference/travel, including	
12	from foreign governments and states	15,000
13	(g) Consumers Association	10,000
14	(2) Election District No. 1	165,000
15	(a) Community water extension/	
16	sanitary toilet facilities	53,000
17	(b) Contractual Service	
18	Reimbursement to Pohnpei State Delegation .	3,000
19	(c) Elementary Schools subsidy	
20	in Election District No. 1, Pohnpei State .	20,000
21	(d) Dispensaries subsidy in	
22	Election District No. 1, Pohnpei State	5,000
23	(e) Graduate students' outstanding debts	7,000
24	(f) Social Security Premium contribution	10,000
25	(g) Kakao nursery	15,000

1	(h) Small business/	
2	entrepreneurship start up	\$ 5,000
3	(i) Medical referral	10,000
4	(j) Student financial assistance ...	37,000
5	(3) Election District No. 2	165,000
6	(a) Rohi/Rehntu road paving	35,000
7	(b) Paies-Kitti water system	10,000
8	(c) Nansalohi-Madol water system ...	10,000
9	(d) Soamwoai-Kitti water system	10,000
10	(e) Kinakapw road improvement	5,000
11	(f) Rehntu (Nintok) road improvement	30,000
12	(g) Pohnpaip (Nanmand) road improvement	5,000
13	(h) Moailap coastal access road improvement	5,000
14	(i) Pohnlangas Ice Plant road improvement	5,000
15	(j) Police vehicle purchase supplement	10,000
16	(k) Drilling Rig and Accessories ...	5,000
17	(l) Students financial assistance ..	5,000
18	(m) Purchase of PVC pipes and materials	5,000
19	(n) Election District No. 2	
20	administrative support services	20,000
21	(o) Kitti Judiciary branch fencing .	5,000
22	(4) Election District No. 3	165,000
23	(a) Care Micronesia Foundation	25,000
24	(b) Election District No. 3	
25	administrative support services	15,000

1	(c) Medical referral assistance ... \$	10,000
2	(d) Youth activities and supplies ..	15,000
3	(e) Road repair and beautification .	70,000
4	(f) Extension of power lines to	
5	rural areas/farm roads	30,000"

6 Section 3. Section 6 of Public Law No. 18-05, as amended by
 7 Public Law No. 18-07, is hereby further amended to read as
 8 follows:

9 "Section 6. Allotment and management of funds and
 10 lapse date. All funds appropriated by this act shall
 11 be allotted, managed, administered and accounted for
 12 in accordance with applicable laws, including, but
 13 not limited to, the Financial Management Act of 1979.
 14 The allottee shall be responsible for ensuring that
 15 these funds, or so much thereof as may be necessary,
 16 are used solely for the purpose specified in this
 17 act, and that no obligations are incurred in excess
 18 of the sum appropriated. The allottee of the funds
 19 appropriated under section 3 of this act shall be the
 20 Governor of Yap State. The allottee of funds
 21 appropriated under sections 2 and 4 of this act shall
 22 be the President of the Federated States of
 23 Micronesia or his designee, EXCEPT THAT the allottee
 24 of funds appropriated under subsection 4(3)(a) of
 25 this act shall be the Pohnpei Transportation

1 Authority. The allottee of funds appropriated under
2 subsections 5(1) and 5(3) of this act shall be the
3 Governor of Chuuk State or his designee. The
4 allottee of funds appropriated under subsection 5(2)
5 of section 5 of this act shall be the Mortlock
6 Islands Development Authority. The allottee of funds
7 appropriated under subsection 5(4) of section 5 of
8 this act shall be the Southern Namoneas Development
9 Authority. The allottee of funds appropriated under
10 subsection 5(5) of section 5 of this act shall be the
11 Faichuk Development Authority. The allottee of funds
12 appropriated under subsection 5(6) of section 5 of
13 this act shall be the Northwest Island Development
14 Authority. The authority of the allottee to obligate
15 funds appropriated by this act shall lapse on
16 September 30, 2014.”
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1 Section 4. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its
3 becoming law without such approval.

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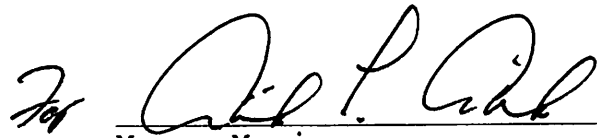
January 30th, 2014

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Manny Mori
President
Federated States of Micronesia

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