



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 18-333
FSM CONGRESS



August 18, 2014

The Honorable Dohsis Halbert
Speaker
Eighteenth Congress of the Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Halbert:

I am returning the following Congressional Acts without signature:

Public Law No. 18-77, Congressional Act No. 18-78, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-58, AS AMENDED BY PUBLIC LAWS NOS. 16-64, 16-72, 17-08, 17-11, 17-20, 17-35 AND 17-41, BY AMENDING SECTION 4 THEREOF, TO MODIFY THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI, AND FOR OTHER PURPOSES."

Public Law No. 18-78, Congressional Act No. 18-79, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-35, AS AMENDED BY PUBLIC LAWS NOS. 18-49, 18-61 AND 18-63, BY AMENDING SECTIONS 4 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES."

Public Law No. 18-79, Congressional Act No. 18-80, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-62, AS AMENDED BY PUBLIC LAWS NOS. 16-71, 17-05, 17-18, 17-29, 17-47, 18-23, 18-33 AND 18-50, BY AMENDING SECTION 6 THEREOF, TO CHANGE THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-80, Congressional Act No. 18-81, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-18, AS AMENDED BY PUBLIC LAWS NOS. 16-24, 16-32, 16-39, 16-45, 16-54, 16-67, 17-04, 17-14, 17-26, 17-39, 17-65, 18-27 AND 18-47, BY AMENDING SECTION 2 THEREOF, TO CHANGE ALLOTTEE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

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Public Law No. 18-81, Congressional Act No. 18-82, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-11, AS AMENDED BY PUBLIC LAW NO 18-44. BY AMENDING SECTION 2 THEREOF, TO CHANGE THE LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-82, Congressional Act No. 18-83, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14, 18-31, 18-38 AND 18-72. BY AMENDING SECTIONS 2, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-83, Congressional Act No. 18-84, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-59, AS AMENDED BY PUBLIC LAWS NOS. 17-63, 17-66, 17-70, 17-77, 17-86, 18-21, 18-29 AND 18-64. BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-84, Congressional Act No. 18-85, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-36, AS AMENDED BY PUBLIC LAWS NOS. 17-48, 17-78, 17-87, 18-36, AND 18-65, BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO OFFER A TECHNICAL AMENDMENT, AND FOR OTHER PURPOSES."

Public Law No. 18-85, Congressional Act No. 18-86, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED BY PUBLIC LAWS NOS. 15-36, 15-44, 15-57, 15-63, 15-72, 15-78, 16-03, 16-11, 16-33, 16-46, 17-12, 17-21, 17-33, 17-40, 18-17 AND 18-67. BY AMENDING SECTION 2 THEREOF, FOR THE PURPOSE OF CHANGING THE ALLOTTEE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

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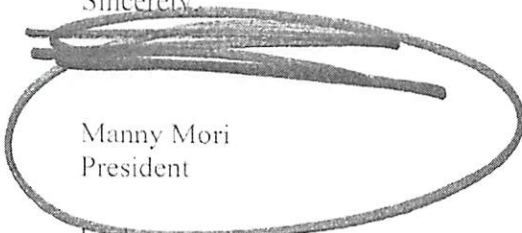
Public Law No. 18-86, Congressional Act No. 18-87, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-49, AS AMENDED BY PUBLIC LAWS NOS. 16-68, 16-76, 17-06, 17-10, 17-23, 17-30, 17-32, 17-45, 17-82, 17-85, 18-28, 18-45 AND 18-59, BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-87, Congressional Act No. 18-89, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89, 17-90, 18-03, 18-10, 18-13, 18-32, 18-46 AND 18-58, BY AMENDING SECTION 6 THEREIN, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE STATES AND FOR OTHER PURPOSES."

I reviewed the above Acts, designed to alter the funds and change the allottees for various public projects. The numerous amendments, which fail to provide clear direction on the intention of Congress behind altering funds and changing allottees, make it impossible for the Executive branch to implement public projects without involvement from Congress.

The involvement of some members of Congress in the implementation of public projects violates the Constitution, as confirmed by the Udot case. I have previously shared this concern with Congress and once again bring this problem to your attention. Let's resolve this matter amicably and avoid going to court to seek further clarifications.

Sincerely,



Manny Mori
President

Enclosure.

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

Office of the President, P.O. Box 1364, Kolonia, Pohnpei FM 96941



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3
Palikir, Sokehs
Pohnpei State, FM 96941
Tel: (691) 320-2324 / 2338
Fax: (691) 320-5122

Office of the Chief Clerk

July 15, 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. 18-89, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89, 17-90, 18-03, 18-10, 18-13, 18-32, 18-46 AND 18-58, BY AMENDING SECTION 6 THEREIN, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE STATES, AND FOR OTHER PURPOSES.", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Fourth Special Session, 2014, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink is written below the "Sincerely yours,". The signature is cursive and appears to read "Liwiana Ramon Ioanis".

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

Enclosures



EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FOURTH SPECIAL SESSION
JULY 7 - 12, 2014

PUBLIC LAW No. 18- 87 "

An Act

TO FURTHER AMEND PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89, 17-90, 18-03, 18-10, 18-13, 18-32, 18-46 AND 18-58, BY AMENDING SECTION 6 THEREIN, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE STATES, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: PALIKNOA K. WELLY

DATE: JULY 9, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – JULY 10, 2014

FIRST READING: JULY 10, 2014

SECOND READING: JULY 12, 2014

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

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

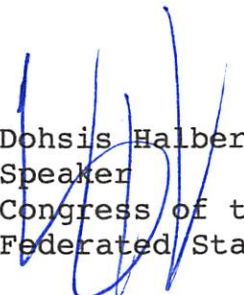
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Office of the Speaker


ACT NO. 18-89

(CONGRESSIONAL BILL NO. 18-200)

We hereby certify that on July 12 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Fourth Special 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

FOURTH SPECIAL SESSION, 2014

CONGRESSIONAL BILL NO. 18-200

PUBLIC LAW No. 18-87^a

AN ACT

To further amend Public Law No. 17-68, as amended by Public Laws Nos. 17-71, 17-81, 17-84, 17-89, 17-90, 18-03, 18-10, 18-13, 18-32, 18-46 and 18-58, by amending section 6 therein, for the purpose of changing the lapse date of certain funds previously appropriated to fund public projects and social programs in each of the states, and for other purposes.

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

1 Section 1. Section 6 of Public Law No. 17-68, as amended by
2 Public Laws Nos. 17-71, 18-03, 18-13 and 18-58, is here by further
3 amended to read as follows:

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

PUBLIC LAW No. 18-87

1 EXCEPT THAT the allottee of funds appropriated under
2 subsection 1 of section 3 of this act shall be the
3 Governor of Kosrae; the allottee of funds appropriated
4 under subsections 3(2)(j), (k), (l), (m), (n), (o), (p),
5 (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa),
6 (ab), (ac), (ad), (ae), (af), (ag) and (ah) of section 3
7 of this act shall be the Mayor of Lelu Municipal
8 Government or his designee; the allottee of funds
9 appropriated under subsection 1 of section 4 of this act
10 shall be the Governor of Pohnpei State and the allottee
11 of funds appropriated under subsections 4(c)(xxiii) and
12 4(c)(xxiv) of section 4 of this act shall be the
13 Meninkeder lapalap, Madolenihmw Municipal Government.
14 The allottee of funds appropriated under subsection 5(1)
15 of this act shall be the President of the Federated
16 States of Micronesia or his designee. The allottee of
17 funds appropriated under subsection 5(2)(a) and 5(2)(c)
18 of this act shall be the Governor of Chuuk State or his
19 designee. The allottee of funds appropriated under
20 subsection 5(2)(b) of section 5 of this act shall be the
21 Mortlock Islands Development Authority. The allottee of
22 funds appropriated under subsection 5(2)(d) of section 5
23 of this act shall be the Southern Namoneas Development
24 Authority or its designee. The allottee of funds
25 appropriated under subsection 5(2)(e) of section 5 of

7 Section 3. This act shall become law upon approval by the
8 President of the Federated States of Micronesia or upon its
9 becoming law without such approval.

25

Manny Mori
President
Federated States of Micronesia

Law w/out Signature
8-18-14