January 6, 2014

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

Dear Speaker Halbert:

I am returning the following Congressional Acts to become public laws pursuant to Article IX Section 22 of the FSM Constitution, without my signature:

**Public Law No. 18-27**: Congressional Act No. 18-26, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-49, AS AMENDED BY PUBLIC LAW NOS. 16-68, 16-76, 17-06, 17-10, 17-23, 17-30, 17-32, 17-45, 17-82, AND 17-85, BY AMENDING SECTIONS 1 AND 2 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.”


**Public Law No. 18-29**: Congressional Act No. 18-28, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-59, AS AMENDED BY PUBLIC LAW NOS. 17-63, 17-66, 17-70, 17-77, 17-86 AND 18-21, BY AMENDING SECTIONS 4, AND 5 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 Pohnpei and Chuuk, and for other purposes.”

**Public Law No. 18-30**: Congressional Act No. 18-29, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 12-50, AS AMENDED BY PUBLIC LAW NOS. 12-53, 12-74, 13-1, 13-17, 14-65, 14-71, 14-94, 15-15, 15-50 AND 17-24, BY AMENDING SECTION 13 THEREOF, TO CHANGE THE USE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES.”

**Public Law No. 18-31**: Congressional Act No. 18-31, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAW NOS. 18-07 AND 18-14, BY AMENDING SECTION 4 THEREIN, FOR THE PURPOSE OF CHANGING THE USE OF FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI, AND FOR OTHER PURPOSES.”
Public Law No. 18-32: Congressional Act No. 18-33, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAW NOS. 17-71, 17-81, 17-89, 17-90, 18-03, 18-10 AND 18-13, BY AMENDING SECTIONS 4 AND 5 THEREIN, FOR THE PURPOSE OF CHANGING THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF Pohnpei AND Chuuk, AND FOR OTHER PURPOSES.”

Public Law No. 18-33: Congressional Act No. 18-35, entitled: “AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-62, AS AMENDED BY PUBLIC LAW NOS. 16-71, 17-05, 17-18, 17-29, 17-47 AND 18-23, BY AMENDING SECTION 4 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF Pohnpei, AND FOR OTHER PURPOSES.”

I have 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, up to 12 and 13 times for some Acts (with the exception of Congressional Act No. 18-31, which had a maximum of three amendments). The multiple amendments resulted in so much confusion as to the true intention of Congress for the public projects and programs, and have created extreme 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.

4. Further amendments to Congressional Acts continued after allotments have been fully processed where funding has been partially or fully disbursed.

It would be most helpful if Congress would set a policy limiting to a maximum of only three amendments per Act in order to avoid the problems as outlined above. For Congress to fully appreciate the extreme difficulty in properly tracking, analyzing, and implementing multiple amendments, we have attached an illustration of a spreadsheet of the multiple amendments of only one public law, P.L. 16-49. This illustration took approximately 12 hours to put together in an Excel spreadsheet by someone experienced in Excel. It sets out the multiple changes that occurred over the 16th, 17th, and 18th Congresses.
The Honorable Dohsis Halbert  
January 6, 2014  
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Even with a spreadsheet, if there are no public hearings and committee reports, it will still be most difficult to implement the public projects and programs without knowing the intent of Congress.

With warm personal regards, I remain,

Sincerely,

[Signature]
President

Enclosure: Chart (with Legend as to the meaning of the colors. Note – according to SBOC, the yellow highlight in Act 17-81 is there because it has been over-expended due to the difficulty in tracking as there is no networking to provide for a real time update; also, in Act 18-27, the yellow highlight shows an absence of an amount listed for the intended purpose. These are just two of the yellow highlights shown).

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

Office of the President, P.O. Box PS 53, Pusé, Pohnpei, FM 96941
December 06, 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. 18-29, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 12-50, AS AMENDED BY PUBLIC LAWS NOS. 12-53, 12-74, 13-1, 13-17, 14-65, 14-71, 14-94, 15-15, 15-50 AND 17-24, BY AMENDING SECTION 13 THEREOF, TO CHANGE THE USE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Second Special Session, 2013, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

Enclosures
An Act


INTRODUCED BY SENATOR: TONY H. OTTO
DATE: NOVEMBER 26, 2013

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – DECEMBER 02, 2013
FIRST READING: DECEMBER 02, 2013
SECOND READING: DECEMBER 03, 2013

[Signature]
Liwiana Ramon Ioains
Chief Clerk, FSM Congress
ACT NO. 18-29

(CONGRESSIONAL BILL NO. 18-97)

We hereby certify that on December 03 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Second Special 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.

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
SECOND SPECIAL SESSION, 2013

CONGRESSIONAL BILL NO. 18-97

PUBLIC LAW No. 18-30

AN ACT

To further amend Public Law No. 12-50, as amended by Public Laws Nos. 12-53, 12-74, 13-1, 13-17, 14-65, 14-71, 14-94, 15-15, 15-50 and 17-24, by amending section 13 thereof, to change the use of funds previously appropriated therein, and for other purposes.

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

1. Section 13 of Public Law No. 12-50, as amended by Public Laws Nos. 12-53, 12-74, 13-1, 13-17, 14-65, 14-71, 14-94, 15-15, 15-50 and 17-24, is hereby further amended to read as follows:


The sum of $12,302,572, 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, 2003, for capital improvement, development programs and projects and human resource development. The sum appropriated under this section shall be apportioned as follows:

1. College of Micronesia - FSM

   (a) Operations of the College of Micronesia-FSM, including planning, construction of new facilities and maintenance of the newly completed multi-purpose gymnasium...$ 3,220,000

   (b) Student assistance for tuition and housing to be deemed to come from section
216(a)(3) of the Compact of Free Association

PROVIDED that only students maintaining

a passing grade point average will be eligible
to receive these grants .................$ 475,000

(c) COM-FSM National Campus Standby

 Generator ................................. -0-

(d) COM-FSM National Campus Well

Drilling to be deemed to come from the capital

Account funds available under section 211

of the Compact of Free Association ........ 30,000

(e) FSM Fisheries and Maritime

Institute ................................. 700,000

(2) Post-Secondary Educational Assistance
to be deemed to come from section 216(a)(3)
of the Compact of Free Association

(a) Kosrae State ......................... 283,411

(b) Pohnpei State ....................... 639,693

(c) Chuuk State

   (i) GPA-based Scholarships,

   PROVIDED THAT the Department of Finance and

   Administration of the Federated States of

   Micronesia office in Chuuk shall issue any

   funds directly to the respective

   scholarship recipient .................. 140,000

   (ii) Grants, PROVIDED THAT the
Department of Finance and Administration
of the Federated States of Micronesia office in
Chuuk shall issue any funds directly to the
respective scholarship grant recipient .... $ 773,886
(d) Yap State
   (i) Post-Secondary Educational
   assistance ............................ 262,210
   (ii) Scholarships grants for
Yapese students, with the following conditions:
   (1) only students maintaining a grade point
   average of 2.0 or higher shall be eligible to
   receive these grants; (2) taking into
   consideration all sources of assistance to
   the recipient, no grant funds in excess of
   the cost of tuition, room and board shall
   be provided to any student; and (3) no more
   than $5,000 of these funds shall be given
   to any individual student ......... 95,000
   (e) Graduate Scholarship –
   All States ................................ 100,000
   (3) National Staff Upgrading to be deemed
to come from the capital account funds
available under section 211 of the Compact of
Free Association .......................... 50,000
   (4) President's Office Expansion and
Security $0

(5) FSM Visitors Bureau to be deemed to come from the capital account funds available under section 211 of the Compact of Free Association 378,000

(6) FSM Development Bank - Business Development Loan Program to be deemed to come from the capital account funds available under section 211 of the Compact of Free Association 1,000,000

(7) FSM Trust Fund - Account 'S', of which $709,640 shall be deemed to come from capital account funds available under section 211, $130,506 shall be deemed to come from funds available under section 214(b), $1,094,573 shall be deemed to come from funds available under section 215(a)(2), $8,000 shall be deemed to come from funds available under section 215(b)(2) and $346,462 shall be deemed to come from funds available under section 221(b) of the Compact of Free Association 3,000,000

(8) FSM Household Income and Expenditure Survey $0

(9) M.S. Caroline Voyager Dry-docking to
be deemed to come from the capital account
funds available under section 211 of the
Compact of Free Association $ 510,000
(10) Tuna Commission Building
Contractual Services and Official Residences 142,000
(11) EMPAT Phase III, $64,000 of which
shall be deemed to come from funds available
under section 216(a)(3) of the Compact of Free
Association 117,703
(12) 3rd Convention of the FSM Coastal
Fisheries Consortium 12,239
(13) FSM Capitol Complex Infrastructure Program -0-
(14) FSM Public Defender Office Expansion
(Pohnpei Office) to be deemed to come from the
capital account funds available under section
211 of the Compact of Free Association 45,000
(15) Funds to be deemed to come from the
capital account funds available under section
211 of the Compact of Free Association for:
(a) FSM Judiciary Branch Office
Renovation Chuuk and Yap 68,430
(b) FSM Chief Justice new resident
upgrade in Pohnpei 5,000
(16) Public Auditor's Office Construction
to be deemed to come from the capital account funds available under section 211 of the Compact of Free Association ..............$ 80,000
(17) Outer Island Projects to be deemed to come from the capital account funds available under section 211 of the Compact of Free Association:

(a) Ta Airport........................... 55,000
(b) Northwest islands' cargo and passenger vessel ......................... 120,000"

Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

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, 2013

Manny Mori
President
Federated States of Micronesia