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, 17-60, 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.
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 17-93 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
December 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. 18-35, "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 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", 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 Ioanis
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
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 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.

INTRODUCED BY SENATOR: PETER M. CHRISTIAN
DATE: DECEMBER 02, 2013

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – DECEMBER 04, 2013
FIRST READING: DECEMBER 04, 2013
SECOND READING: DECEMBER 05, 2013

Liwiana Ramon Ioane
Chief Clerk, FSM Congress
ACT NO. 18-35

(CONGRESSIONAL BILL NO. 18-109, C.D.1, C.D.2)

We hereby certify that on December 05 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
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 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.

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

1. Section 4 of Public Law No. 16-62, as amended by Public Laws Nos. 16-71, 17-05, 17-18, 17-29 and 18-23, is hereby further amended to read as follows:

"Section 4. Of the sum of $1,050,000 appropriated by this act, $300,000 is apportioned for Pohnpei State for public projects and social programs.

State of Pohnpei ...................... $ 300,000

(1) Pohnpei at Large................... 75,000

(a) Soledi road construction........... 30,000

(b) Pohnrakied community buildings improvement and cultural festivities ...... 5,000

(c) Pohnpei road improvement/repair 30,000

(d) MS. Caroline Voyager............... 5,000

(e) Ohwa School Food subsidy......... 12,000

(2) Election District No. 1............. 75,000

(a) Road construction/improvement 65,000

(b) Poultry project subsidy to assist in purchase of feed and veterinary
and vaccination costs ................................ $ 3,000

(3) Election District No. 2 ............... 75,000

(a) Pohnpei PIBA Chapter ............... 10,000

(b) Contractual Services for teacher aide at Salapwuk elementary school........ 6,000

(c) Contractual Service for a cook at Nanpei Memorial High School (NMHS)...... 6,000

(d) Election District No. 2 participation in Guam softball tournament... 20,000

(e) Election District No. 2 operation 5,000

(f) Road Improvement ................. 10,000

(g) Pehleng fish market ................. 4,000

(h) Students financial assistance .. 4,000

(i) Water system upgrade at Madolenihmw High School ..................... 4,000

(j) Kitti Municipal Government Building improvement.............................. 6,000

(4) Election District No. 3 ............ 75,000

(a) Students financial assistance .. 2,000

(b) Dolonier, Nett farm road improvement ........................................... 25,000

(c) U Secondary road improvement ... 30,000

(d) Water project ......................... 10,000

(e) Contractual services for Grant writing on Seed money........................ 5,000
(f) Election District No. 3 Rural

Internet Connectivity services ............ $3,000

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.

__________________________, 2013

Law as Print Signature

Manny Mori
President
Federated States of Micronesia

01-06-14