June 19, 2013

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

Dear Speaker Halbert:

I transmit the following Congressional Act, which became Public Law No. 18-03.

Congressional Act No. 18-02, "AN ACT TO FURTHER AMEND SECTIONS 2, 3, 5 AND 6 OF PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89 AND 17-90, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE AND CHUUK, AND FOR OTHER PURPOSES."

Having signed this Act into public law, I take this opportunity to reiterate my views on congressional appropriation for public projects and social programs in general. Every year, at least $1.4 million is earmarked in the annual budget for public projects and social programs. That in itself is a clear demonstration of my support for GOOD public projects and social programs. As former member of Congress myself, I understand the importance of those projects. But at the same time, we must address with solutions the following concerns:

1) **No public hearing.** It is important to stress the need for a transparent, deliberative process in formulating public projects and social programs. I acknowledge that a committee report mentions some of the changes for Yap’s portion of public projects. However, the fact that there is no explanation of the amendments for Kosrae and Chuuk projects contradicts a transparent process. Also, the executive branch as implementer of public project was not given the opportunity to express its views through public hearing.

2) **Effective planning.** The lack of planning on public projects resulted in repeated changes in the appropriation. This is another amendment in addition to the previous five amendments passed in a span of six months from the date of the original Public Law.

3) **Weakness of PCD.** We recognized the weakness of project control documents (PCDs) as some of them do not match implemented public projects and social programs. I instructed the Office of SBOC to reexamine the PCDs and to initiate the necessary reforms in order to ensure that public projects and social programs are consistent with the PCDs as envisioned in the appropriation.
(4) Disbursement of funds. It is fundamental that public funds are expended to enhance the welfare of the citizens by improving the socio-economic conditions in the communities throughout the nation. Many of the so-called public projects and social programs have little linkage to the Strategic Development Plan (SDP). As such, they contribute little to the overall socio-economic development.

I urge Congress to seriously consider the foregoing concerns at the earliest opportunity because continuing inaction on our part will not yield meaningful benefit to our people.

I wish to note that there is no designated allottee of fund under subsection 5(2)(c). As such, the President is the default allottee.

With warm personal regards, I remain,

Sincerely,

Manny Mori
President

xc: Chief Justice, FSM Supreme Court
    Secretary, Department of Justice
    Director, Office of SBOC
    Legislative Counsel, CFSM
    Library, CFSM
    FSM PIO
May 28, 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. 18-02, "AN ACT TO FURTHER AMEND SECTIONS 2, 3, 5 AND 6 OF PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89 AND 17-90, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE AND CHUUK, AND FOR OTHER PURPOSES.", which was passed by the Eighteenth Congress of the Federated States of Micronesia, First 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 FURTHER AMEND SECTIONS 2, 3, 5 AND 6 OF PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89 AND 17-90, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE AND CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL
DATE: MAY 22, 2013

REFERRED TO: COMMITTEE ON WAYS AND MEANS
S.C.R. NO. 18-06 — MAY 24, 2013
FIRST READING: MAY 24, 2013
SECOND READING: MAY 27, 2013

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
We hereby certify that on May 27 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, First 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.

Donsis 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 sections 2, 3, 5 and 6 of Public Law No. 17-68, as amended by Public Laws Nos. 17-71, 17-81, 17-84, 17-89 and 17-90, for the purpose of changing the use and allottee of certain funds previously appropriated to fund public projects and social programs in the States of Yap, Kosrae and Chuuk, and for other purposes.

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

1. Section 2 of Public Law No. 17-68, as amended by Public Law No. 17-71, is hereby further amended to read as follows:

"Section 2. Of the sum of $5,697,383 appropriated by this act, $284,210 is apportioned to pay the amount owed by the State of Yap to FEMA and $600,000 is apportioned for public projects and social programs in the State of Yap.

(1) Amount owed by the State of Yap to FEMA PROVIDED THAT this amount shall be deemed an advance. The repayment of which shall be directed to the following projects:

(a) Yap Southern water system improvement 250,000, (b) Kanifay Municipal office improvement 30,000 and (c) Kanifay Men's house repair 4,210 .......................... $ 284,210

(2) State of Yap .......................... 600,000

(a) Fanif municipality multipurpose
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<thead>
<tr>
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<tr>
<td>1</td>
<td>recreation field supplemental</td>
<td>$50,000</td>
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<tr>
<td>2</td>
<td>(b) Toruf Rumu village road</td>
<td>$40,000</td>
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<td></td>
<td>supplemental</td>
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<tr>
<td>3</td>
<td>(c) Falalop Ulithi youth center</td>
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<td>4</td>
<td>renovation</td>
<td>$20,000</td>
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<td>5</td>
<td>(d) Okau, Welo ay road supplemental</td>
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<tr>
<td>6</td>
<td>(e) Plaw road culvert</td>
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<td>7</td>
<td>(f) Yapese medical students</td>
<td>$5,000</td>
</tr>
<tr>
<td></td>
<td>interns</td>
<td></td>
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<tr>
<td>8</td>
<td>(g) Deployment of Fishing Aggregate</td>
<td></td>
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<tr>
<td>9</td>
<td>Device in Outer Islands</td>
<td>$3,150</td>
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<tr>
<td>10</td>
<td>(h) Water extension &amp; sewer for</td>
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<tr>
<td></td>
<td>Ifalik community in Makiy</td>
<td>$50,000</td>
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<tr>
<td>11</td>
<td>(i) Neighboring Islands Central</td>
<td></td>
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<tr>
<td></td>
<td>High School computers (shipping &amp;</td>
<td>$20,000</td>
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<tr>
<td></td>
<td>installation).</td>
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<tr>
<td>12</td>
<td>(j) Satawal Island community boat</td>
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<td>13</td>
<td>and motor and Fais Island</td>
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<tr>
<td></td>
<td>community outboard</td>
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<td>14</td>
<td>motor for residents in the</td>
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<tr>
<td></td>
<td>two respective islands.</td>
<td>$23,850</td>
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<td>15</td>
<td>(k) Yap Catholic High School</td>
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<td>16</td>
<td>construction supplemental</td>
<td>$106,000</td>
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<tr>
<td>17</td>
<td></td>
<td></td>
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<tr>
<td>18</td>
<td>(l) Yap Chamber of Commerce</td>
<td>$30,000</td>
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<tr>
<td>19</td>
<td>(m) Yap Southern Water Authority</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>(purchase of equipment)</td>
<td>$20,000</td>
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<tr>
<td>21</td>
<td>(n) Contribution to Falalop Woleai</td>
<td></td>
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<tr>
<td>22</td>
<td>Youth</td>
<td>$2,000</td>
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<tr>
<td>23</td>
<td>and equipments rental</td>
<td>$10,000</td>
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<tr>
<td>24</td>
<td>(o) Ngolog road construction</td>
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<td>25</td>
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</tbody>
</table>
(p) Outer Islands' social and educational workshop ......................... $ 42,000
(q) Rumung water channel restoration 30,000
(r) Milew Community House repair supplemental....................... 13,000
(s) Woleai runway repair supplemental 20,000
(t) Amin, Maap community project.... 30,000
(u) Yap Government employees Credit Union (YGECU) subsidy............... 10,000
(v) Welo Haven Municipality subsidy... 5,000"

Section 2. Section 3 of Public Law No. 17-68, as amended by Public Laws Nos. 17-71 and 17-84, is hereby further amended to read as follows:

"Section 3. Of the sum of $5,697,383 appropriated by this act, $15,197 is apportioned to pay the amount owed by the State of Kosrae to FEMA and $600,000 is apportioned for public projects and social programs in the State of Kosrae.

(1) Amount owed by the State of Kosrae to FEMA $15,197
(2) State of Kosrae......................... 600,000
(a) Kosrae State Government subsidy (IMF matching, road & drainage maintenance, equipment) ......................... 100,000
(b) DREA economic projects and programs 40,000
(c) Kosrae Utility Authority
for Power Extension .................................. $0-

(d) Department of Health Services

for pharmaceutical supplies ...................... 25,000

(e) Kosrae State subsidy ....................... 55,000

(f) Department of Education (Classrooms',
maintenance/matching for IMF funding) ...... $0-

(g) Department of Education

(Youth program/activities) ....................... 5,000

(h) Kosrae Island Resource

Management Authority subsidy ................... 10,000

(i) Kosrae Conservation Society

Organization subsidy ............................ 10,000

(j) Panyacah bridge improvement

and repair (IMF matching) ....................... 15,000

(k) Lelu municipal government subsidy 10,000

(l) Kosrae Island Veterans Association 20,000

(m) KHS lunch program ......................... 40,000

(n) B.A. program .............................. 20,000

(o) "We Care" referral program ......... 20,000

(p) Multipurpose building in

Lelu municipality ............................. 20,000

(q) Road improvement (Yeni to Wan Utwe) 10,000

(r) Sungankuta, Malem inner road

improvement ...................................... 5,000

(s) Kosrae Women Christian Association 5,000
(t) Kosrae Visitor’s Bureau (travel and promotion) ....................... $ 10,000
(u) Kosrae participants to the 2013 Women conference in Pohnpei ............... 5,000
(v) Kosrae Utility Authority subsidy ................. 40,000
(w) Kosrae Youth Associations (Fusr) .................. 5,000
(x) Kosrae Special Parent Network (KSPN) ............. 5,000
(y) Kosrae State Government’s contribution to Pacific Island Development Bank 30,000
(z) Yela Environment Landowners Authority (YELA) ........................................ 10,000
(aa) Tourist travel trail in Malem municipality ....................... 5,000
(ab) Lelu farm road improvement at Sruusr, Lelu .......... 10,000
(ac) Inkomenum, Utwe access and inner road project ....................... 15,000
(ad) Kings farm road project in Pilyaul, Malem ............ 15,000
(ae) Tafunsak Municipal Government land acquisition ....................... 10,000
(af) Tafeot Dam repair and water system improvement ........ 10,000
(ag) Malem Municipal Government subsidy ....................... 10,000
(ah) Utwe Municipal Government subsidy .................... $ 10,000

Section 3. Section 5 of Public Law No. 17-68, as amended by Public Laws Nos. 17-71, 17-81, 17-84, 17-89 and 17-90, is hereby further amended to read as follows:

"Section 5. Of the sum of $5,697,383 appropriated by this act, $978,860 is apportioned to pay the amount owed by the State of Chuuk to FEMA and $1,800,000 is apportioned for public projects and social programs.

(1) Amount owed by the State of Chuuk to FEMA PROVIDED THAT Chuuk State shall repay this amount in such a manner as will be agreed to between the allottee and the Chuuk State leadership ............ $ 978,860

(2) State of Chuuk ......................... 1,800,000

(a) At-Large ......................... 300,000

(i) Community facilities/
Infrastructure & Housing subsidy ............ 30,000

(ii) Chuuk Museum contribution .. 5,000

(iii) Roads/Seawalls/Bridges repair and improvement ......................... 25,000

(iv) Main water source lease obligation (Nefo) ......................... 7,000

(v) Contributions to State, Municipal and Community events/ activities/ programs ......................... 42,000
(vi) POL/Charters/Freight

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<thead>
<tr>
<th>Subsidy/Reimbursements</th>
<th>Amount</th>
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(vii) Youth Groups

equipment/supplies/activities

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(viii) Leaders/Patients/Students/

repatriation of remains travel needs

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(ix) Administrative support

costs for allottee/At Large

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(x) Fishing project

(equipment/gears/marketing)

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<th>Amount</th>
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(xi) Lien Pukial prior obligations

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<th>Amount</th>
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(xii) Women Groups' sewing

equipment/supplies

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<th>Amount</th>
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<tr>
<td>3,000</td>
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(xiii) Farmers' seedlings & labor

cost obligations

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<th>Amount</th>
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<td>1,400</td>
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(xiv) Community/Students/farmers

land transportation

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<tr>
<th>Amount</th>
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<td>18,000</td>
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(xv) Students financial

assistance/schools subsidy

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(xvi) Municipal government

subsidy (Elections/activities)

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(xvii) Power distribution

extension matching fund

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(b) Election District No. 1

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<tr>
<th>Amount</th>
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<tbody>
<tr>
<td>300,000</td>
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(i) Professional services fee

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<tbody>
<tr>
<td>15,000</td>
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</table>
(ii) Renewable Energy project/

Communication system                      $ 65,000

(iii) Mortlock Islands' Sea

vessel purchase                           100,000

(iv) Multipurpose public

facilities, community facilities, housing

improvement and repair                    40,000

(v) Education, health and

sanitation programs & projects/and/or training 10,000

(vi) Youth, Sports &

Recreational programs/activities           -0-

(vii) Municipal government

special occasions activities               10,000

(viii) Students financial assistance      -20,000

(ix) Repatriation of remain/

Associations contributions                 15,000

(x) Mortlock Island Development

Authority (MIDA) operation                  25,000

(xi) Copra and Fish purchase

Revolving Fund                             -0-

(c) Election District No. 2                 300,000

(i) Fishing Projects                       20,000

(ii) Nutrition and Food

Security Enhancement Projects               15,000

(iii) Housing renovation supplement        25,000
(iv) Community Halls rehabilitation ......................... $ 25,000
(v) Weno Municipality Transportation
needs & Office Rehabilitation ............... 30,000
(vi) Fono Municipality subsidy... 10,000
(vii) Piis-Paneu Municipality subsidy ........................................ 10,000
(viii) Regional Leadership outreach visits ......................... 25,000
(ix) College students'
financial assistance ......................... 15,000
(x) Youth Community activities. 15,000
(xi) Northern Namoneas Social and Economic Development Authority Administration 50,000
(xii) Roads upgrade & rehabilitation 10,000
(xiii) Power Distribution
Extension matching fund ....................... -0-
(xiv) Weno Constitution Day and
Inauguration Day festivities ............... 10,000
(xv) Acquisition of heavy equipment for road repair ....................... -0-
(xvi) Weno Municipal Police Communication System and Supplies .......... 9,000
(xvii) Weno Municipal Office upkeep 5,000
(xviii) Nepukos Souak Association

9 of 16
1 Community Activities ................................ $ 5,000
2 (xix) Mechitiw Souak Community Activities .......................... 5,000
3 (xx) Acquisition of Equipment and Supplies for Activities of:
4 (a) Fonoton Youth Association (FCYA) ......................... 2,000
5 (b) Piis-Paneu Youth Association ................................. 2,000
6 (c) Peniesene Youth Association (Kutta Kinamwe) .......... 2,000
7 (d) Tunnuk Youth Association (TCYA) ......................... 2,000
8 (e) Iras Youth Association ........................................ 2,000
9 (f) Neauo Youth Association ........................................ 2,000
10 (g) Wichap Youth Association .................................... 2,000
11 (h) Nemwan Youth Association .................................... 2,000
12 (d) Election District No. 3 ..................... 300,000
13 (i) Fishing projects ............................................. 70,000
14 (ii) Housing project ............................................. 30,000
15 (iii) Community Halls rehabilitation .............. 30,000
16 (iv) Southern Namoneas Development Authority Administration .................. 25,000
17 (v) Contribution/Repatriation of remain/Associations support (Guam/Saipan/

10 of 16
Hawaii/United States/Southern Namoeas)...

(vi) Reimbursement for POL/Charters

(vii) Contribution to Social Security premium

(viii) Reimbursement payment for Lease/Rental obligation

(ix) Business start up/Entrepreneurship subsidies

(x) Youth/School sports & activities

(xi) Solar power lighting system

(xii) Students land transportation needs/vehicle purchase for local government

(xiii) Municipal/Community health and sanitation water improvement projects

(xiv) Humanitarian/Food Aid relief program for Community/ municipalities

(xv) Medical/medication contribution to non-insured and unemployed Senior Citizens

(xvi) Feeding program for Handicap/Disable elderly

(xvii) Travel needs for students/referral patients/leaders

(xviii) Contributions to Southern Namoeas off-island chartered associations

(xiv) Municipal governments
subsidies ........................................ $ 10,000

(e) Election District No. 4 .......... 300,000

   (i) Fishing projects ................. 40,000

   (ii) Low income housing subsidy .... 30,000

   (iii) Farming project subsidy ....... 30,000

   (iv) Students financial assistance.. 15,000

   (v) Faichuk Development Authority

   (Contractual services/Administration) .... 20,000

   (vi) Medical referral and

repatriation of remains .................. 10,000

(vii) Municipal governments' subsidies 70,000

(viii) Sewing project subsidy ....... 10,000

(ix) Youth activities and programs 15,000

(x) Road improvement and

   beautification ................................. 10,000

(xi) States and Municipal

leadership exposure and travel .......... 15,000

(xii) fishing market subsidy .... 5,000

(xiii) Students and farmers

land transportation ......................... 20,000

(xiv) Solar system project ......... 5,000

(xv) Fiber boat repair project . 5,000

(f) Election District No. 5 .......... 300,000

   (i) Fishing projects ................. 100,000

   (ii) Northwest Islands
<table>
<thead>
<tr>
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<th>Description</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>Development Authority Administration ..................................................</td>
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<tr>
<td>2</td>
<td>(iii) Food relief assistance program ..................................................</td>
<td>$ 28,000</td>
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<tr>
<td>3</td>
<td>(iv) Officials/patients and other travel needs ......................................</td>
<td>$ 18,000</td>
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<tr>
<td>4</td>
<td>(v) Payment for students' entrance test fees, and outstanding debt at COM-FSM, University of Hawaii at Hilo and Hawaii Pacific University ..................................</td>
<td>$ 9,000</td>
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<tr>
<td>5</td>
<td>(vi) Vehicles purchase for municipal governments ....................................</td>
<td>$ 12,000</td>
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<tr>
<td>6</td>
<td>(vii) Contributions to Northwest Islands Associations ...............................</td>
<td>$ 30,000</td>
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<tr>
<td>7</td>
<td>(viii) Boat charter/medical referral travel reimbursements ........................</td>
<td>$ 10,000</td>
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<td>8</td>
<td>(ix) Onoun Women Association contribution ............................................</td>
<td>$ 8,000</td>
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<td>9</td>
<td>(x) Pollap Dispensary solar power project supplemental ................................</td>
<td>$ 2,000</td>
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<tr>
<td>10</td>
<td>(xi) Shoreline mitigation project ..........................................................</td>
<td>$ 2,000</td>
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<tr>
<td>11</td>
<td>(xii) Tupwunoil office rental ..................................................................</td>
<td>$ 6,000</td>
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<td>12</td>
<td>(xiii) Boat charters/POL ...........................................................................</td>
<td>$ 20,000</td>
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<tr>
<td>13</td>
<td>(xiv) Contributions to municipal events/activities ....................................</td>
<td>$ 5,000</td>
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<tr>
<td>14</td>
<td>(xv) Community Hall .................................................................................</td>
<td>$ 5,000</td>
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<tr>
<td>15</td>
<td>(xvi) Municipalities’ Inaugurations .......................................................</td>
<td>$ 7,000</td>
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13 of 16
Section 4. Section 6 of Public Law No. 17-68, as amended by Public Law No. 17-71, is here by further amended to read as follows:

"Section 6. Allotment and management of funds and lapse date. All funds appropriated by this act shall be allotted, managed, administered and accounted for in accordance with applicable laws, including, but not limited to, the Financial Management Act of 1979. The allottee shall be responsible for ensuring that these funds, or so much thereof as may be necessary, are used solely for the purpose specified in this act, and that no obligations are incurred in excess of the sum appropriated. The allottee of the funds appropriated under section 2 of this act shall be the Governor of Yap State. The allottee of funds appropriated under sections 3 and 4 of this act shall be the President of the Federated States of Micronesia or his designee, EXCEPT THAT the allottee of funds appropriated under subsection 1 of section 3 and subsections 3(2)(j), (k), (l), (m), (n), (o), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa), (ab), (ac), (ad), (ae), (af), (ag) and ah of this act shall be the Governor of Kosrae State, the allottee of funds appropriated under subsection 3(2)(p) of this act shall be the Mayor of Lelu Municipal Government or his designee and the
allottee of funds appropriated under subsection 1 of
section 4 of this act shall be the Governor of Pohnpei
State. The allottee of funds appropriated under
subsection 5(1) of this act shall be the President of
the Federated States of Micronesia or his designee. The
allottee of funds appropriated under subsection 5(2)(a)
of this act shall be the Governor of Chuuk State or his
designee. The allottee of funds appropriated under
subsection 5(2)(b) of section 5 of this act shall be the
Mortlock Islands Development Authority. The allottee of
funds appropriated under subsection 5(2)(d) of section 5
of this act shall be the Southern Namoneas Development
Authority or its designee. The allottee of funds
appropriated under subsection 5(2)(e) of section 5 of
this act shall be the Faichuk Development Authority or
its designee. The allottee of funds appropriated under
subsection 5(2)(f) of this act shall be the Northwest
Island Development Authority. The authority of the
allottee to obligate funds appropriated by this act
shall lapse on September 30, 2014.”
Section 5. This act shall become law upon approval by the President of the Federated States of Micronesia or upon it becoming law without such approval.

June 18, 2013

Manny Mori
President
Federated States of Micronesia