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. 18-81, 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."

Office of the President, P.O. Box 1364, Kolonia, Pohnpei FM 96941
The Honorable Dohsis Halbert  
August 18, 2014  
Page 3  


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, CFM  
Library, CFM  
FSM PIO

Office of the President, P.O. Box 1364, Kolonia, Pohnpei FM 96941
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. 18-79, "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.", 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,

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

Enclosures
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.

INTRODUCED BY SENATOR: PETER M. CHRISTIAN
DATE: JULY 6, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – JULY 8, 2014
FIRST READING: JULY 9, 2014
SECOND READING: JULY 10, 2014

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
ACT NO. 18-79

(CONGRESSIONAL BILL NO. 18-194)

We hereby certify that on July 10 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
PUBLIC LAW NO. 18-78

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.

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

1. Section 4 of Public Law No. 18-35, as amended by Public Laws Nos. 18-49, 18-61 and 18-63, is hereby further amended to read as follows:

"Section 4. Of the sum of $4,900,000 appropriated by this act, $1,400,000 is apportioned for public projects and social programs in the State of Pohnpei.

State of Pohnpei ......................... $ 1,400,000

(1) At-Large ......................... 350,000

(a) Construction and improvement of Sports facilities Improvement in Kitti (survey cost, land clearance, equipment rental, material purchase, labor) .................... 75,000

(b) Construction and improvement of sports facility in Senpehn, Madolenihmw (Equipment rental, material purchase, lighting fixture purchase, electrical products, labor cost) ............ 82,000

(i) Purchase of construction equipment for Pohnpei Transportation
Authority (PTA)..........................$15,000

(c) Travel by airplane for Pohnpei

(for field lighting expert/consultant) .... 16,000

(d) Water system improvement (material,

equipment purchase, labor) ................. 42,000

(e) Community centers improvement

(Health and sanitary improvement, access road

improvement).......................... 20,000

(f) Crop development project grants

(seedling purchase and cultivation, equipment,

tools purchase, equipment rental & labor, produce

processing equipment, travel of Cargo expert

to Pohnpei).......................... 50,000

(g) Street lights installation in Kolonia 50,000

(2) Election District No. 1.................. 350,000

(a) Road improvement...................... 200,000

(b) Transportation Needs................... 20,000

(c) School Needs.......................... 20,000

(d) Solar lights.......................... 50,000

Leadership travel......................... 10,000

(e) RSP Center Construction............. 30,000

(f) Election District No. 1 Need

Assessment and Monitoring.................. 15,000

(g) Nukuoro Constitutional Convention 5,000

(3) Election District No. 2.............. 350,000
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<th></th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>(a) Salapuk school road paving</td>
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<td>2</td>
<td>(b) Wone school road paving</td>
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<tr>
<td>3</td>
<td>(c) Diadi (Madol) water system</td>
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<td>4</td>
<td>(d) Diadi (Kitti) water system</td>
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<tr>
<td>5</td>
<td>(e) Nanpahalp (Madol) road paving</td>
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<td>6</td>
<td>(f) Speaker's office, Isokohnedi, administrative support</td>
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<td>8</td>
<td>(g) Kitti track and field facility</td>
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<td>9</td>
<td>(h) Water well drilling</td>
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<td>10</td>
<td>(i) Sapwalapw road upgrade</td>
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<td>11</td>
<td>(j) Enipen powe road upgrade</td>
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<tr>
<td>12</td>
<td>(k) Power line extension</td>
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<td>(l) Mwoakot (Kitti) road upgrade</td>
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<td>14</td>
<td>(m) Metipw/Dolapwal road upgrade</td>
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<td>(n) Dioan road upgrade</td>
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<td>16</td>
<td>(o) Youth and Sports</td>
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<td>17</td>
<td>(p) Sports equipment</td>
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<td>18</td>
<td>(q) Agriculture fair</td>
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<td>20</td>
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<td>21</td>
<td>(t) Purchase of Coral material</td>
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<td>22</td>
<td>(u) Purchase of PVC pipes and fittings</td>
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<td>23</td>
<td>(v) Administrative support services</td>
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<td>1</td>
<td>(x) Kepine water system upgrade</td>
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<td>(y) Luhkenmoanlap's office, Kitti municipal government</td>
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<td>(4) Election District No. 3</td>
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<td>(g) Road Cleanup project/equipment</td>
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<td>(h) Road speed pumps/signs</td>
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<td>12</td>
<td>(i) Mwoakilloa Municipal Gov't Subsidy</td>
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<td>(n) Renewal Energy/solar equipment</td>
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<td>21</td>
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<td>22</td>
<td>(r) U Municipal Gov't work truck</td>
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(s) U Municipal Gov't Executive subsidy $ 3,000
(t) Pohnpei State Transportation Authority
(PTA) work truck ............................... 13,000"

Section 2. Section 6 of Public Law No. 18-35, as amended by
Public Law No. 18-49 and 18-61, is hereby 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 funds appropriated under
section 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
subsections 4(1)(b)(i), 4(3)(a), 4(3)(b) and 4(3)(e) of
section 4 of this act shall be the Pohnpei
Transportation Authority and the allottee of funds
appropriated under subsection (4)(3)(y) of section 4 of
this act shall be the Luhkonmoanalap of Kitti Municipal
government. The authority of the allottee to obligate
funds appropriated by this act shall lapse on September 30, 2015."

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.

__________________________, 2014

__________________________,
Manny Mori
President
Federated States of Micronesia