January 5, 2015

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

Dear Speaker Halbert:

I am returning the following Congressional Acts without signature:

**Public Law No. 18-104:** Congressional Act No. 18-107, "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 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF YAP AND KOSRAE, AND FOR OTHER PURPOSES."

Public Law No. 18-105: Congressional Act No. 18-108: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14, 18-31, 18-38, 18-72 AND 18-82, BY AMENDING SECTION 4 THEREOF, FOR THE PURPOSE OF CHANGING THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, FOR PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI AND FOR OTHER PURPOSES."

Public Law No. 18-106: Congressional Act No. 18-109: "AN ACT TO AMEND PUBLIC LAW NO. 18-99, BY AMENDING SECTIONS 3 AND 5 THEREOF, TO CHANGE THE USE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE PEOPLE OF THE STATES OF KOSRAE AND CHUUK, AND FOR OTHER PURPOSES."

I reviewed the above Acts, designed to alter the funds that were previously appropriated for various public projects and social programs. The amendment consists of changing the amounts of the various appropriations for public projects and social programs and creating new line items in addition to the existing appropriation.

The rationale for the amendments was not explained anywhere in the Acts and there were no reports to indicate the intent of Congress in adopting the amendments. As a result, the Acts failed to provide clear direction on the intention of Congress behind altering the funds, make it impossible for the Executive Branch to implement public projects and social programs without involvement from Congress.
The involvement of some of the 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.

Sincerely,

Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM
December 02, 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. 18-107, "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 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF YAP AND KOSRAE, AND FOR OTHER PURPOSES.", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Fifth 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


INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL

DATE: NOVEMBER 26, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – NOVEMBER 26, 2014
FIRST READING: NOVEMBER 26, 2014
SECOND READING: NOVEMBER 27, 2014
ACT NO. 18-107

(CONGRESSIONAL BILL NO. 18-246, C.D.1)

We hereby certify that on November 27 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Fifth 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.

Donsis Halbert
Speaker
Congress of the Federated States of Micronesia

Liwiana Ramon Ioanis
Chief Clerk
Congress of the Federated States of Micronesia
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 1 thereof, to change the use of certain funds previously appropriated therein for the States of Yap and Kosrae, and for other purposes.

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

1. Section 1. Section 1 of 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 and 18-67, is hereby further amended to read as follows:

"Section 1. The sum of $3,780,000, or so much thereof, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2008, for the purpose of funding public projects and social programs in each State of the Federated States of Micronesia. The fund shall be apportioned on the basis of $250,000 or less per member of Congress as follows, PROVIDED THAT an increase of $300,000 is for Yap State.

(1) State of Kosrae......................... $ 500,000/
    (a) High School lunch program and past expenses incurred relating to the implementation of the program .............. 48,000/
    (b) Bachelor degree program............ 80,000/
(c) Lelu Community projects/programs $ 10,000
(d) Malem Community projects/
programs ................................. 10,000
(e) Utwe Community projects/
programs ................................. 10,000
(f) Tafunsak Community projects/
programs ................................. 10,000
(g) Kosrae Women Association ......... 10,000
(h) Promotion and travel for
Tourism Office ............................ 10,000
(i) Kosrae State Government subsidy 100,000
(j) Medical referrals for
non-insured and non-employed Kosraeans ...... 20,000

Provided that reprogramming of this
funding is not allowed
(k) Supplemental funding for fuel
for Caroline Voyager ....................... -0-
(l) Tafunsak multipurpose
building renovation ....................... 20,000

(m) Laptop Computers for Schools:
   (i) Lelu Elementary School ....... 1,100
   (ii) Tafunsak Elementary School  1,100
   (iii) Malem Elementary School .... 1,100
   (iv) Utwa Elementary School ...... 1,100
   (v) Walung Elementary School ... 1,100
(vi) Sansrik Elementary School.$ 1,100
(vii) SDA School................. 1,100
(viii) Kosrae High School........ 1,250
(n) Kosrae Senior Citizens Meeting Halls
   (i) Lelu Senior Citizen........ 30,000
   (ii) Tafunsak Senior Citizen... 30,000
   (iii) Malem Senior Citizen..... 30,000
   (iv) Utwa Senior Citizen...... 30,000
(o) Supplemental funding for
   a Master's Degree Program........ 8,000
(p) Tafunsak Youths' musical instruments 5,000
(q) KCSO's subsidy................ 5,000
(r) National Government debts to
   ABCOR Construction............... 12,000
(s) Kosrae Women Christian Associations
   (i) Lelu Women Christian
   Association........................ 2,000
   (ii) Tafunsak Women Christian
   Association........................ 2,000
   (iii) Malem Women Christian
   Association........................ 2,000
   (iv) Utwa Women Christian
   Association........................ 2,000
   (v) Walung Women Christian
   Association........................ 2,000
(t) Kosrae Community in Pohnpei State $ 2,000
(u) Computer and computer accessories $ 1,050

(2) State of Yap
(a) Chamber of Commerce (Matching fund) the funding shall not be expended unless the Chamber of Commerce contributes a 50% of either in kind and/or monetary contribution as it's matching $ 50,000
(b) Ruu and Amun villages basketball courts $ 0
(c) Lands' Acquisition (Outer Island of Yap) $ 50,000
(d) Southern Yap water system equipment purchase $ 25,000
(e) Tomil Road repair $ 25,000
(f) Amun bridge $ 20,000
(g) Water extension, Makiy village $ 9,000
(h) Road improvements, Wanyan village $ 30,000
(i) Bugol women multipurpose building $ 45,000
(j) Travel needs to Asia Pacific Nurse Leadership Conference in Honolulu, Hawaii $ 18,000
(k) Falalu and Seliap community centers repairs $ 23,000
(l) Qapluul village road repair $ 27,000
(m) Gachpar men’s house $ 50,000
CONGRESSIONAL BILL NO. 18-246, C.D.1

PUBLIC LAW No. 18-104

1  (n) Wotegai Road project.............$10,000
2  (o) Tugunbinau bridge, Maap........50,000
3  (p) Outer Islands' agriculture
4  programs and projects (concrete taro
5  patches, purchase of tools and equipment)...15,800
6  (q) Pikelot Island water
7  catchment and shelter..................7,000
8  (r) Outer Islands' Transportation
9  needs (boats, two outboard motors for
10  Falalus and Faraulap Islands, POL and
11  charter and provisioning)..................102,000
12  (s) YSPSC subsidy for POL.............100,000
13  (t) Boats & motors for Seliap &
14  Tegailap, Woleai.........................30,000
15  (u) Meerur men's house repair........16,000
16  (v) Completion of Wotegai
17  community center in Qapluul village........20,000
18  (w) Mariyong Island Community
19  Piggery project..........................20,000
20  (x) Grant to Woleai Atoll
21  Community Account.........................6,000
22  (y) Woleai Airport equipments purchase7,000
23  (z) Outboard motor for the Office
24  of the Yap State Governor...............13,000
25  (aa) Yap Chamber of Commerce subsidy.31,200
(3) State of Pohnpei
   (a) Pohnpei State At-Large
      (i) Construction and renovation of
   roads, bridges, culverts and road drainages
   from Palikir to Kolonia
      (b) Election District No. 1
         (i) 2nd Phase (Baptist School
         classroom construction)
         (ii) EDI operation
         (iii) Kolonia Town Ladies
         Training Center renovations
         (iv) Tomara Road construction...
         (v) Sapwuafik Community
         Center Renovations
         (vi) Peidie Road paving
         (vii) Completion of Ipwal Road...
         (viii) Sekere retaining wall...
         (ix) Soledi Road construction...
         (c) Election District No. 2
         (i) Water Delivery Services...
         (ii) Students' Financial Assistance
         (iii) Secondary Road Improvement
         (iv) ED2 operation
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<th>Description</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>(v) Civic Centers</td>
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<td>2</td>
<td>(vi) Agriculture Fair</td>
<td>3,500</td>
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<td>3</td>
<td>(vii) Enipein Elementary</td>
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<td>4</td>
<td>School Teacher's Aide</td>
<td>2,000</td>
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<td>5</td>
<td>(viii) Kitti Fish Market</td>
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<td>6</td>
<td>(ix) Sports facilities improvement</td>
<td>1,500</td>
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<td>7</td>
<td>(x) Outboard Motor for Kitti Police</td>
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<td>8</td>
<td>(xi) Madolenihmw Municipal</td>
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<tr>
<td>9</td>
<td>Government subsidy</td>
<td>10,000</td>
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<tr>
<td>10</td>
<td>(xii) Kitti/Madolenihmw</td>
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<td>Outreach program</td>
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<td>(xiii) Grant writer assistance</td>
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<td>13</td>
<td>(xiv) Pohnpei Coconut Processing</td>
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<td>Plant repair</td>
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<td>(xv) Nanmand Lumber</td>
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<td>16</td>
<td>Milling (Pwihno)</td>
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<td>17</td>
<td>(xvi) ED #2 Municipal management workshop</td>
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<td>18</td>
<td>(xvii) Salapwuk Teacher's Aide</td>
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<td>19</td>
<td>(xviii) NMS cook</td>
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<tr>
<td>20</td>
<td>(xix) Madolenihmw Cold Storage</td>
<td>4,000</td>
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<tr>
<td>21</td>
<td>(xx) Lukop/Wone ECE</td>
<td>4,552</td>
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<tr>
<td>22</td>
<td>(xxi) Temwen and Nanmadol water</td>
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1  system supply ........................................... $ 60,000
2  (xxii) Mand Community Nahs .................. 7,096
3  (d) Election District No. 3
4  (i) ED #3 Operation ......................... 68,566
5  (ii) Students and public
6  transportation services ....................... 28,000
7  (iii) Students' financial
8  assistance ........................................... 7,524
9  (iv) Youth sports activities .......... 6,056
10  (v) Agriculture Fair ....................... 3,000
11  (vi) ED #3 Working Group
12  supplemental ....................................... 7,526
13  (vii) ED #3 Water System ................ 10,000
14  (viii) U public facilities
15  repairs and maintenance ..................... 49,917
16  (ix) Nett public facilities
17  repairs and maintenance ..................... 52,557
18  (x) Mwoakilloa public
19  facilities repairs and maintenance and
20  transportation needs ......................... 20,000
21  (xi) Pingelap public facilities
22  repairs and maintenance and
23  transportation needs ......................... 25,000
24  (xii) Mwoakilloa multipurpose
25  house renovation .............................. 1,854
(xiii) Pohnkeimw Secondary

Road paving ........................................ $ 50,000

(4) State of Chuuk ................................. 1,480,000

(a) Chuuk State At-Large

(i) Public Facilities repair and improvement ........................................ 30,000

(ii) Youth Activities' programs and projects ................................. 32,000

(iii) Students' Financial Assistance ........................................ 7,000

(iv) Low Income Housing subsidy ........................................ 30,000

(v) Farmers and Students' land transportations .......................... 17,000

(vi) Leadership exposures and travel ........................................ 15,000

(vii) Farmers planting tools and seedling project ....................... 14,800

(viii) CSCIP operation ........................................ 5,000

(ix) Offices Rental and Operations Commission ............................ 7,000

(x) POL and Charter ........................................ 13,200

(xi) At-Large Office Operation ........................................ 20,000

(xii) Sports facilities
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<th>Description</th>
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<tr>
<td>1</td>
<td>construction (basketball courts)</td>
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<td>(xiii) Fishing gear and equipment</td>
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<td>(xiv) Seawall and Taro Patchs Protection</td>
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<td>(xv) Multipurpose building repair and renovation</td>
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<td>8</td>
<td>(xvi) Feeding program</td>
<td>10,000</td>
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<td>9</td>
<td>(xvii) Medical referral and repatriation of remains</td>
<td>10,000</td>
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<tr>
<td>11</td>
<td>(xviii) OCHAP Community Hall Construction</td>
<td>5,000</td>
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<tr>
<td>13</td>
<td>(xix) Tonoas Municipal Government inauguration activities</td>
<td>1,000</td>
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<tr>
<td>15</td>
<td>(xx) Udot Municipal Government inauguration activities</td>
<td>1,000</td>
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<tr>
<td>17</td>
<td>(xxi) Kuttu Municipal Government inauguration activities</td>
<td>1,000</td>
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<td>19</td>
<td>(b) Election District No. 1</td>
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<td>(i) Students' Financial Assistance</td>
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<td>21</td>
<td>(ii) Mortlock Development</td>
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<tr>
<td>22</td>
<td>Commission outstanding debts (past and present)</td>
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<td>24</td>
<td>(iii) Municipal Governments' subsidy</td>
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<td>25</td>
<td>a. Ta Municipality</td>
<td>3,000</td>
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<tr>
<td>1</td>
<td>(iv) Community Housing improvement/ freight or charter</td>
<td>$45,000</td>
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<td>2</td>
<td>(v) Leadership Conference</td>
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<td>3</td>
<td>(vi) Leadership travel</td>
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<td>4</td>
<td>(vii) Youth musical instruments</td>
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<td>5</td>
<td>(viii) Housing Improvement</td>
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<td>8</td>
<td>(xi) Sea transportation assistance</td>
<td>$7,200</td>
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<td>(xiii) Pou (Weno) Community Center Improvement</td>
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<td>(xiv) Health and Sanitary project</td>
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<td>(xv) ED #1 Operation</td>
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<td>(xvii) Food Relief Assistance</td>
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<td>16</td>
<td>(xviii) Solar system project</td>
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<td>18</td>
<td>(i) Basketball court</td>
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<td>20</td>
<td>(a) Neoram, Nepkos</td>
<td>$10,000</td>
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<tr>
<td>21</td>
<td>(b) Faichu, Eor</td>
<td>$6,000</td>
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<td>2</td>
<td>(d) Neinifach, Mwan</td>
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<td>(iii) Public/School/Bus Operation</td>
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<td>(iv) Road Construction</td>
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<td>5</td>
<td>(v) Repatriation of human remains</td>
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<td>6</td>
<td>(vi) Kokumy cultural celebration</td>
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<td>7</td>
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<tr>
<td>8</td>
<td>(viii) NNDA operation</td>
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<td>9</td>
<td>(ix) Housing Assistance</td>
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<td>11</td>
<td>(xi) Medical supplies &amp; equipments</td>
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<tr>
<td>12</td>
<td>(xii) Leadership travel &amp; exposure</td>
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<tr>
<td>13</td>
<td>(xiii) Public facilities repair and improvement</td>
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<td>14</td>
<td>(xiv) Purchase of Heavy equipment and heavy equipment parts</td>
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<td>15</td>
<td>(d) Election District No. 3</td>
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<tr>
<td>16</td>
<td>(i) Election District No. 3 Operation</td>
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<tr>
<td>17</td>
<td>(ii) Housing and Community Halls</td>
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<tr>
<td>18</td>
<td>(iii) Fishing projects</td>
<td>$15,000</td>
</tr>
<tr>
<td>19</td>
<td>(iv) Fiberglass boats repair</td>
<td>$5,000</td>
</tr>
<tr>
<td>20</td>
<td>(v) Municipal inauguration activities</td>
<td>$4,500</td>
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(vi) Sport Tournaments
facilities/supplies .................. $ 3,000
(vii) Feeding Program ............ 10,000
(viii) Crafting and sewing
projects ......................... 7,000
(ix) Market/local produce ....... 10,000
(x) Project Management ......... 12,500
(xi) CSCIP operation .......... 5,000
(xii) Subsidy for
entrepreneurships and business start up .... 10,000
(xiii) Nukuno Christian School
solar panels/computers .......... 10,000
(xiv) Leadership Travel ......... 15,000
(xv) Youth rehabilitation programs 9,000
(xvi) Mayors Leadership Conference 5,000
(xvii) Land transportation ....... 12,500
(xviii) Municipal Governments' subsidies ............................ 46,000
(e) Election District No. 4
(i) Students' Financial Assistance ............................ 10,000
(ii) Youth activities and programs ............................ 10,000
(iii) Leadership exposure and travel ............................ 15,000
1 (iv) FDA operations $20,000
2 (v) CSCIP operation 5,000
3 (vi) Udot Municipal subsidy 10,000
4 (vii) Low income housing grant 40,000
5 (viii) Iongkumi fishing project 40,000
6 (ix) Fiberglass boats repair 10,000
7 (x) Food relief 10,000
8 (xi) Land transportation 20,000
9 (xii) Polle Municipal subsidy 10,000
10 (xiii) ED #4 office operation 30,000
11 (xiv) Famachaw farming project 10,000
12 (xv) Medical referrals & repatriation of remains 10,000
13 (f) Election District No. 5
14 (i) POL & Charter 59,000
15 (ii) Food Relief 13,846
16 (iii) Rental office space, office supplies and equipment, communication and utilities 5,000
17 (iv) Students' Financial Assistance -0-
18 (v) Medical referral, pharmaceuticals and repatriation of remains 14,426
19 (vi) CSCIP 5,000

14 of 15
(vii) Operations (ED #5) ....... $26,728
(viii) Project Management........... 20,000
(ix) On the job training subsidy ........ -0-

(x) Land Acquisition for the people of Halls, Weito and Pattiw Islands .... 71,000

Provided that the allottee of this specific funding shall deposit the funds into the Special Funds within the General Fund of the Federated States of Micronesia for Chuuk Election District No. 5 established pursuant to Public Law No. 13-83.

(xi) Land filling in Weno ............... -0-

(xii) Transportation needs ............ 15,000"

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.

__________________________________________, 2014

Manny Mori
President
Federated States of Micronesia

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