
AN ACT

To amend section 213 of title 55 of the Code of the Federated States of Micronesia, as established by Public Law No. 3-28, relating to the Capital Improvement Program Fund, and for other purposes.

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

1 Section 1. Section 213 of title 55 of the Code of the Federated
2 States of Micronesia, as established by Public Law No. 3-28, is hereby
3 amended to read as follows:

4 "Section 213. Capital Improvement Program Fund.

5 (1) There is hereby created within the National
6 Treasury of the Federated States of Micronesia a Capital
7 Improvement Program Fund.

8 (2) All United States grant funds, including United
9 States federal program funds, allotted to the President of
10 the Federated States of Micronesia by the Trust Territory
11 Government or other agency of the United States Government
12 specifically for capital improvement projects in the States
13 shall be deposited in the Capital Improvement Program Fund.

14 (3) United States grant funds and federal program
15 funds for the Capital Improvement Program shall include
16 funding for the development of the basic infrastructure of
17 the Federated States of Micronesia in conformance with the
18 intent of the original Capital Improvement Program and other
19 funding transferred under any agreement between the National
20 Government of the Federated States of Micronesia and the
21 Government of the Trust Territory of the Pacific Islands, or
22 other agency of the United States Government, regarding the

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1 transfer of capital improvement project funding and admin-
2 istration.

3 (4) The President or his designee shall notify Congress
4 of all grant awards and deposits to the Capital Improvement
5 Program Fund.

6 (5) Any portion of capital improvement funding made
7 available to and accepted by the National Government to cover
8 its costs for the administration of the Capital Improvement
9 Program shall be deposited in the United States Grant Special
10 Fund and may be withdrawn by appropriation laws enacted by
11 the Congress of the Federated States of Micronesia in accord-
12 ance with section 210 of this act.

13 (6) Deposits in the Capital Improvement Program Fund
14 shall be made available to and administered by the President
15 or his designee in accordance with written agreements between
16 the National Government of the Federated States of Micronesia
17 and the Trust Territory Government or other agency of the
18 United States Government for the transfer of capital improve-
19 ment project funding and administration. The funds shall be
20 allocated among the States in accordance with the terms of
21 the appropriation laws of the United States, or by the actions
22 of the High Commissioner or other authorized official of the
23 United States Government pursuant to authority set forth in
24 the appropriation laws of the United States. To the extent
25 that the terms of the appropriation laws of the United States

1 do not allocate such funds specifically to the States, and
2 such laws do not so empower the High Commissioner or an
3 official of the United States Government to act in this
4 regard, or the High Commissioner or official chooses not to
5 act, such funds shall be allocated by the President in an
6 equitable manner which reflects the needs of each State,
7 subject to the approval of Congress by resolution. If
8 Congress is not in session, the appropriate committee shall
9 review and approve the manner of distribution of the funds.
10 The Congress or the appropriate committee shall complete
11 its review within 30 days of submission. If the Congress
12 or the appropriate committee fails to act within 30 days of
13 submission, the proposed distribution of funds shall be
14 deemed approved. The President shall be the allottee of the
15 funds and shall have the authority to make suballotments to
16 the Governors at such times and in such manner as may be
17 required by sound financial management techniques. All funds
18 which have been allotted to the President or suballotted to
19 the Governors of the States shall be administered, managed
20 and accounted for in accordance with applicable law, includ-
21 ing, but not limited to, the Financial Management Act of
22 1979, and regulations pursuant thereto."

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

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December 26, 1984



Tosiwo Nakayama
President
Federated States of Micronesia