



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 18-333
FSM CONGRESS

August 18, 2014

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. 18-80, Congressional Act No. 18-81, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-18, AS AMENDED BY PUBLIC LAWS NOS. 16-24, 16-32, 16-39, 16-45, 16-54, 16-67, 17-04, 17-14, 17-26, 17-39, 17-65, 18-27 AND 18-47, BY AMENDING SECTION 2 THEREOF, TO CHANGE ALLOTTEE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

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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."

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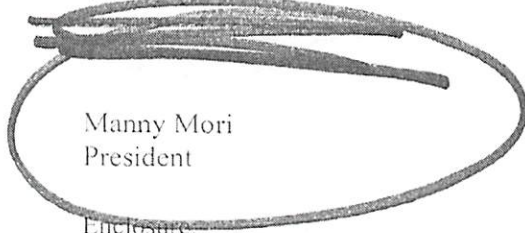
Public Law No. 18-86, Congressional Act No. 18-87, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-49, AS AMENDED BY PUBLIC LAWS NOS. 16-68, 16-76, 17-06, 17-10, 17-23, 17-30, 17-32, 17-45, 17-82, 17-85, 18-28, 18-45 AND 18-59, BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-87, 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, CFSM
Library, CFSM
FSM PIO

Office of the President, P.O. Box 1364, Kolonia, Pohnpei FM 96941



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3
Palikir, Sokehs
Pohnpei State, FM 96941
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Office of the Chief Clerk

July 14, 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. 18-83, "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.", 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,

A handwritten signature in blue ink, which appears to read "Liwiana Ramon Ioanis", is written over the "Sincerely yours," line.

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

Enclosures



EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FOURTH SPECIAL SESSION
JULY 7 - 12, 2014

PUBLIC LAW No. 18-82

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.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL

DATE: JULY 7, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – JULY 8, 2014

FIRST READING: JULY 9, 2014

SECOND READING: JULY 10, 2014

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis", is written over a horizontal line.

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

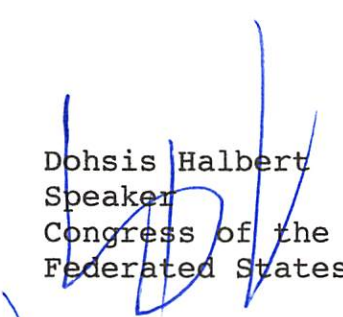
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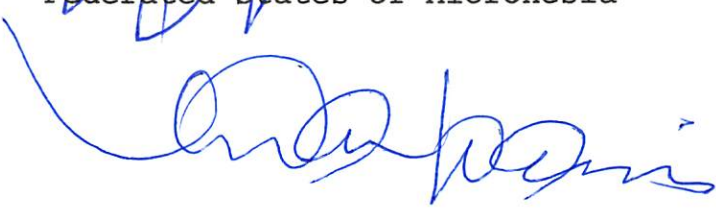
Office of the Speaker

ACT NO. 18-83

(CONGRESSIONAL BILL NO. 18-190, C.D.1)

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

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH SPECIAL SESSION, 2014

CONGRESSIONAL BILL NO. 18-190, C.D.1

PUBLIC LAW NO. 18-82

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.

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

1 Section 1. Section 2 of Public Law No 18-05, as amended
2 by Public Laws Nos. 18-07, 18-14 and 18-72, is hereby further
3 amended to read as follows:

4 "Section 2. Of the sum of \$2,500,000 appropriated
5 by this act, \$400,000 is apportioned for Kosrae
6 State for public projects and social programs.

7	(1) State of Kosrae	\$ 400,000
8	(a) Municipal Governments' subsidy .	100,000
9	(b) Purchase of a vehicle (Kosrae	
10	Custom and Revenue field office	20,000
11	(c) Maintenance of a dental chair	
12	for Kosrae State Hospital	5,000
13	(d) Kosrae State General Election in	
14	November 2014	15,000
15	(e) Kosrae High School Lunch Program	20,000
16	(f) B.A. program	10,000
17	(g) We Care program	20,000
18	(h) Kosrae Port Authority subsidy ..	27,452

PUBLIC LAW No. 18- 82

1	(i) Walden University (student	
2	outstanding balance)	\$ 4,000
3	(j) Micronesia Shipping Commission	10,000
4	(k) Xavier High School (tuition &	
5	fees for Kosraean students)	20,000
6	(l) Travel needs for participants	
7	to the Nursing Association conference in	
8	Honolulu	5,000
9	(m) Kosrae State Government subsidy	-0-
10	(n) Malem Association of farmers ...	6,000
11	(o) Kosrae High School lunch area	
12	(renovation, maintenance and upgrade)	10,000
13	(p) Hemodialysis treatment fees	30,000
14	(q) Transportation needs to Regional	
15	Tennis Center in Lautoka, Fiji	5,000
16	(r) Outstanding debts for Kosraean	
17	students attending COM-FSM Institution	
18	(Fall and Summer 2013)	20,000
19	(s) Lelu Town Government subsidy ...	20,000
20	(t) Infwala, Tafunsak farm road ...	15,000
21	(u) COM-FSM Institute Trial	
22	Counselor program	5,000
23	(v) Kosrae State Court mediation program	10,000
24	(w) Subsidy for Kosrae State	
25	Department of Economic Affairs (seedling	

PUBLIC LAW No. 18- 82

1	production and drainage improvement) \$	7,548
2	(x) Youth activities and programs ..	5,000
3	(y) Telik, Utwe farm road	10,000"

4 Section 2. Section 4 of Public Law No. 18-05, as amended

5 by Public Laws Nos. 18-07, 18-31 and 18-38, is hereby further

6 amended to read as follows:

7 "Section 4. Of the sum of \$2,500,000 appropriated by

8 this act, \$700,000 is apportioned for Pohnpei State for

9 public projects and social programs.

10	State of Pohnpei	\$ 700,000
11	(1) Pohnpei at Large	205,000
12	(a) Pohnpei secondary road improvement	55,000
13	(b) Sport facilities improvement ...	50,000
14	(c) Pohnpei Sports (equipment,	
15	supplies, umpire fees	25,000
16	(d) Sports facilities and venue	
17	improvement	25,000
18	(e) FSM Constituency visit by Pohnpei	
19	Delegation	25,000
20	(f) Hosting of traditional/civic	
21	leaders' conference/travel, including	
22	from foreign governments and states	15,000
23	(g) Consumers Association	10,000
24	(2) Election District No. 1	165,000
25	(a) Community water extension/	

PUBLIC LAW No. 18-82

1	sanitary toilet facilities	\$ 53,000
2	(b) Contractual Service	
3	Reimbursement to Pohnpei State Delegation .	3,000
4	(c) Elementary Schools subsidy	
5	in Election District No. 1, Pohnpei State .	20,000
6	(d) Dispensaries subsidy in	
7	Election District No. 1, Pohnpei State	5,000
8	(e) Graduate students' outstanding debts	7,000
9	(f) Social Security Premium contribution	10,000
10	(g) Kakao nursery	15,000
11	(h) Small business/	
12	entrepreneurship start up	5,000
13	(i) Medical referral	10,000
14	(j) Student financial assistance ...	37,000
15	(3) Election District No. 2	165,000
16	(a) Rohi/Rehntu road paving	35,000
17	(b) Paies-Kitti water system	10,000
18	(c) Nansalohi-Madol water system ...	10,000
19	(d) Soamwoai-Kitti water system	10,000
20	(e) Kinakapw road improvement	5,000
21	(f) Rehntu (Nintok) road improvement	30,000
22	(g) Pohnpaip (Nanmand) road improvement	5,000
23	(h) Moailap coastal access road improvement	5,000
24	(i) Pohnlangas Ice Plant road improvement	5,000
25	(j) Police vehicle purchase supplement	10,000

PUBLIC LAW No. 18-82

1	(k) Drilling Rig and Accessories .. \$	5,000
2	(l) Students financial assistance ..	5,000
3	(m) Purchase of PVC pipes and materials	5,000
4	(n) Election District No. 2	
5	administrative support services	20,000
6	(o) Kitti Judiciary branch fencing .	5,000
7	(4) Election District No. 3	165,000
8	(a) Care Micronesia Foundation	25,000
9	(b) Election District No. 3	
10	administrative support services	15,000
11	(c) Medical referral assistance	10,000
12	(d) Youth activities and supplies ..	15,000
13	(e) Road repair and beautification .	70,000
14	(f) Extension of power lines to	
15	rural areas/farm roads	30,000"

16 Section 3. Section 6 of Public Law No. 18-05, as amended
 17 by Public Laws Nos. 18-07 and 18-38, is hereby further amended
 18 to read as follows:

19 "Section 6. Allotment and management of funds and
 20 lapse date. All funds appropriated by this act shall
 21 be allotted, managed, administered and accounted for
 22 in accordance with applicable laws, including, but
 23 not limited to, the Financial Management Act of 1979.
 24 The allottee shall be responsible for ensuring that
 25 these funds, or so much thereof as may be necessary,

~~PUBLIC LAW NO. 18- 82~~

1 are used solely for the purpose specified in this
2 act, and that no obligations are incurred in excess
3 of the sum appropriated. The allottee of the funds
4 appropriated under section 3 of this act shall be the
5 Governor of Yap State. The allottee of funds
6 appropriated under sections 2 and 4 of this act shall
7 be the President of the Federated States of
8 Micronesia or his designee, EXCEPT THAT the allottee
9 of funds appropriated under subsection 4(3)(a) of
10 this act shall be the Pohnpei Transportation
11 Authority. The allottee of funds appropriated under
12 subsections 5(1) and 5(3) of this act shall be the
13 Governor of Chuuk State or his designee. The
14 allottee of funds appropriated under subsection 5(2)
15 of section 5 of this act shall be the Mortlock
16 Islands Development Authority. The allottee of funds
17 appropriated under subsection 5(4) of section 5 of
18 this act shall be the Southern Namoneas Development
19 Authority. The allottee of funds appropriated under
20 subsection 5(5) of section 5 of this act shall be the
21 Faichuk Development Authority. The allottee of funds
22 appropriated under subsection 5(6) of section 5 of
23 this act shall be the Northwest Island Development
24 Authority. The authority of the allottee to obligate
25 funds appropriated by this act shall lapse on

