



The President
Palikir, Pohnpei
Federated States of Micronesia

LC/PSM
PRESIDENTIAL COMM. NO. 18-37
FSM CONGRESS

June 28, 2013

The Honorable Dohsis Halbert
Speaker
Eighteenth Congress Federated States of Micronesia
Palikir, Pohnpei, FM 96941



Dear Speaker Halbert:

I return the attached Congressional Act, which has become **Public Law No. 18-05**, without my signature because of certain defects as I will explain below:

Congressional Act No. 18-05, "AN ACT TO APPROPRIATE THE SUM OF \$2,300,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE FOUR STATES, AND FOR OTHER PURPOSES."

This is an appropriation of \$2,300,000 for public projects and social programs allocated to the four states, as follows:

- | | |
|---------------|-----------------|
| (a) \$400,000 | - Yap State |
| (b) \$700,000 | - Pohnpei State |
| (c) \$300,000 | - Kosrae State |
| (d) \$900,000 | - Chuuk State |

I wish to reiterate my general observations similar to those I conveyed to Congress regarding appropriation of public projects and social programs. Most of Congressional appropriation for public project and social programs lack transparency because they lack public hearings and committee reports.

Because of inadequate planning, changes are made almost every session of Congress. A copy of my most recent transmittal of public law is attached for your easy reference.

Additionally, the appropriation is defective due to inequality of distribution of funding. In the past, funding for public projects and social programs would be distributed equally among the members of Congress. Meaning, each member of Congress would be assigned an amount that was equal to that of every other member. In this congressional act, \$400,000 is allocated for the two members of the Yap Delegation, \$700,000 for Pohnpei Delegation, \$300,000 for the two members of the Kosrae Delegation; and \$900,000 for the six members of the Chuuk Delegation.


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There is no explanation for the discrepancy because there is no committee report to explain the legislation intent of the congressional act. While I respect the prerogative of Congress over the allocation formula, I also note its in-equitability and further note that this is the third time this happens.

With warm personal regards, I remain,

Sincerely,



Manny Mori
President

Enclosures:

Xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, SBOC
Legislative Counsel, CFSM
Library, CFSM
FSM PIO



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3
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Office of the Chief Clerk

PRESIDENTIAL COMM. NO. 18-37
FSM CONGRESS

May 31, 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. 18-05, "AN ACT TO APPROPRIATE THE SUM OF \$2,300,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE FOUR STATES, 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,

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

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

Enclosures

PUBLIC LAW No. 18-05



EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST REGULAR SESSION
MAY 11 - 30, 2013

PRESIDENTIAL COMM. NO. 18-37
FSM CONGRESS

An Act

TO APPROPRIATE THE SUM OF \$2,300,000 FROM THE GENERAL FUND OF THE
FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER
30, 2013, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL
PROGRAMS IN EACH OF THE FOUR STATES, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: TONY H. OTTO

DATE: MAY 24, 2013

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – MAY 28, 2013

FIRST READING: MAY 28, 2013

SECOND READING: MAY 30, 2013

A handwritten signature in dark ink, appearing to read "Liwiana Ramon Ioannis".

Liwiana Ramon Ioannis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Speaker

PRESIDENTIAL COMM. NO. 18-37
FSM CONGRESS

ACT NO. 18-05

(CONGRESSIONAL BILL NO. 18-17, C.D.1, C.D.2)

We hereby certify that on May 30 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.

A handwritten signature in black ink, appearing to read "Dohsis Halbert".

Dohsis Halbert
Speaker
Congress of the
Federated States of Micronesia

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

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

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2013

CONGRESSIONAL BILL NO. 18-17, C.D.1,
C.D.2

PUBLIC LAW No. 18-05

AN ACT

To appropriate the sum of \$2,300,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2013, for the purpose of funding public projects and social programs in each of the four states, and for other purposes.

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

1 Section 1. The sum of \$2,300,000, or so much thereof as
2 may be necessary, is hereby appropriated from the General Fund
3 of the Federated States of Micronesia for the fiscal year
4 ending September 30, 2013, for the purpose of funding public
5 projects and social programs in each of the four states. The
6 fund shall be apportioned as follows:

7 Section 2. Of the sum of \$2,300,000 appropriated by this
8 act, \$300,000 is apportioned for Kosrae State for public
9 projects and social programs.

10	(1) State of Kosrae	\$300,000
11	(a) Municipal Governments' subsidy .	100,000
12	(b) Purchase of a vehicle (Kosrae	
13	Custom and Revenue field office	20,000
14	(c) Purchase of a dental chair	
15	for Kosrae State Hospital	15,000
16	(d) Department of Education	
17	(Classrooms' maintenance/matching for IMF funding ...	15,000
18	(e) Kosrae High School Lunch Program	50,000
19	(f) B.A. program	50,000

PUBLIC LAW No. 18-05

1 (g) We Care program \$ 50,000

2 Section 3. Of the sum of \$2,300,000 appropriated by

3 this act, \$400,000 is apportioned for Yap State for

4 public projects and social programs.

5 (1) State of Yap \$400,000

6 Including:

7 (a) Construction of new dock 300,000

8 Section 4. Of the sum of \$2,300,000 appropriated by this

9 act, \$700,000 is apportioned for Pohnpei State for public

10 projects and social programs.

11 State of Pohnpei \$700,000

12 (1) Pohnpei at Large 250,000

13 Including:

14 (a) Pohnpei secondary road improvement 100,000

15 (b) Sport facilities improvement ... 50,000

16 (2) Election District No. 1 150,000

17 (a) Road Improvement 100,000

18 (b) Contractual Service reimbursement

19 to Pohnpei State Delegation 3,000

20 (c) Medical referral 10,000

21 (d) Student financial assistance ... 37,000

22 (3) Election District No. 2 150,000

23 (a) Rohi School retaining wall 35,000

24 (b) Paies-Kitti water system 10,000

25 (c) Nansalohi-Madol water system ... 10,000

PUBLIC LAW No. 18-05

1	(d) Soamwoai-Kitti water system ... \$	10,000
2	(e) Kinakapw road improvement	5,000
3	(f) Rehntu (Nintok) road improvement	15,000
4	(g) Pohnpap (Nanmand) road improvement	5,000
5	(h) Loailap coastal access road improvement	5,000
6	(i) Pohnlangas Ice Plant road improvement	5,000
7	(j) Police vehicle purchase supplement	10,000
8	(k) Drilling Rig and Accessories ...	5,000
9	(l) Students financial assistance ..	5,000
10	(m) Purchase of PVC pipes and materials	5,000
11	(n) Election District No. 2	
12	administrative support services	20,000
13	(4) Election District No. 3	150,000
14	(a) Care Micronesia Foundation	25,000
15	(b) Election District No. 3	
16	administrative support services	15,000
17	(c) Medical referral assistance	10,000
18	(d) Youth activities and supplies ..	15,000
19	(e) Road repair and beautification .	70,000
20	(f) Extension of power lines to	
21	rural areas/farm roads	15,000
22	Section 5. Of the sum of \$2,300,000 appropriated by this	
23	act, \$900,000 is apportioned for Chuuk State for public	
24	projects and social programs.	
25	State of Chuuk	\$900,000

PUBLIC LAW No. 18-05

1	(1) Chuuk at Large	\$ 150,000
2	(a) Community facilities	
3	and housing subsidy	20,000
4	(b) Main water source lease	
5	obligation (Nefo)	10,000
6	(c) Contributions to State, Municipal	
7	and Community events/activities/programs	20,000
8	(d) POL/Charters/Freight subsidy	
9	and/or reimbursement	10,000
10	(e) Leaders/Patients/Students	
11	repatriation of remains transport and travel costs ..	17,000
12	(f) Administrative support costs	
13	for allottee/At Large	10,000
14	(g) Fishing project	
15	(equipment/gear/activities)	23,000
16	(h) Municipal office	
17	construction and related costs	30,000
18	(i) Land transportation	10,000
19	(2) Election District No. 1	150,000
20	(a) Housing Improvement and Renovation	55,000
21	(b) Multipurpose community building	
22	and/or municipal office improvement and renovation ..	50,000
23	(c) Mortlock Island	
24	Development Authority (MIDA)	45,000
25	(3) Election District No. 2	150,000

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1	(a) Patient/Students/Leadership	
2	travel expenses	\$ 25,000
3	(b) Food security and relief program	15,000
4	(c) Meeting Halls improvement	
5	and rehabilitation	20,000
6	(d) Repatriation of human remains	
7	and associated cost (transport, travel and funeral cost)	10,000
8	(e) Road improvement project	20,000
9	(f) Students financial assistance	
10	and outstanding debt	20,000
11	(g) Sewing Project	10,000
12	(h) Fishing project	10,000
13	(i) Election District No. 2	
14	administrative support services	10,000
15	(j) Students' transportation needs .	10,000
16	(4) Election District No. 3	150,000
17	(a) Fishing project subsidy	30,000
18	(b) Community housing/facilities	
19	rehabilitation	30,000
20	(c) Repatriation of human remains	
21	and associated cost (transport, travel and funeral cost)	15,000
22	(d) Southern Namoneas Development	
23	Authority administrative cost	10,000
24	(e) Solar system project subsidy ...	15,000
25	(f) Sport facilities improvement	

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1	and sport equipment purchase	\$ 15,000
2	(g) Association/Organizations' subsidy	5,000
3	(h) Food security and relief programs	5,000
4	(j) Southern Namoneas Development	
5	Authority office rental	15,000
6	(k) Contribution to Municipal/	
7	Community events/activities	10,000
8	(5) Election District No. 4	150,000
9	(a) Fishing project subsidy	30,000
10	(b) Farming project subsidy	30,000
11	(c) Low Income housing subsidy	25,000
12	(d) Faichuk Development Authority ✓	
13	administrative cost	20,000
14	(e) Humanitarian assistance	20,000
15	(f) Students' financial assistance .	15,000
16	(g) Fishing markets' subsidy	10,000
17	(6) Election District No. 5	150,000
18	(a) Purchase of a passenger	
19	boat and related cost	115,000
20	(b) Northwest Islands Development	
21	Authority	20,000
22	(c) Fishing project	12,000
23	(d) Election District No. 5	
24	office rental	3,000
25	Section 6. Allotment and management of funds and lapse	

PUBLIC LAW No. 18-05

1 date. All funds appropriated by this act shall be allotted,
2 managed, administered and accounted for in accordance with
3 applicable laws, including, but not limited to, the Financial
4 Management Act of 1979. The allottee shall be responsible for
5 ensuring that these funds, or so much thereof as may be
6 necessary, are used solely for the purpose specified in this
7 act, and that no obligations are incurred in excess of the sum
8 appropriated. The allottee of the funds appropriated under
9 section 2 of this act shall be the Governor of Yap State. The
10 allottee of funds appropriated under sections 3 and 4 of this
11 act shall be the President of the Federated States of
12 Micronesia or his designee. The allottee of funds appropriated
13 under subsections 5(1) and 5(3) of this act shall be the
14 Governor of Chuuk State or his designee. The allottee of funds
15 appropriated under subsection 5(2) of section 5 of this act
16 shall be the Mortlock Islands Development Authority. The
17 allottee of funds appropriated under subsection 5(4) of section
18 5 of this act shall be the Faichuk Development Authority. The
19 allottee of funds appropriated under subsection 5(5) of section
20 5 of this act shall be the Southern Namoneas Development
21 Authority. The allottee of funds appropriated under subsection
22 5(6) of this act shall be the Northwest Island Development
23 Authority. The authority of the allottee to obligate funds
24 appropriated by this act shall lapse on September 30, 2014.

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PUBLIC LAW No. 18-05

1 Section 7. This act shall become law upon approval by the
2 President of the Federated States of Micronesia or upon its
3 becoming law without such approval.

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_____, 2013

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12 *Manny Mori signature*

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Manny Mori
President
Federated States of Micronesia

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