A BILL FOR AN ACT

To appropriate the sum of $55,642,646 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2006, for the purpose of funding the public infrastructure projects for the National and State Governments of the Federated States of Micronesia, and for other purposes.

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

Section 1. Appropriation. There is hereby appropriated from the General Fund of the Federated States of Micronesia the sum of $55,642,646, or so much thereof as may be necessary, for the purpose of funding the public infrastructure projects of the National and State Governments of the Federated States of Micronesia for the fiscal year ending September 30, 2006. Of the total funds appropriated herein, the total sum shall be deemed to come from funds available under the Amended Compact for Public Infrastructure Sector.

Section 2. Project Management, Administration, Design and Engineering. Of the sum appropriated by Section 1, a total of $3,000,000 is appropriated for the purpose of funding the operations of the Project Management Unit, for $1,000,000 per year, during fiscal year 2006, 2007, and 2008.

Section 3. Infrastructure Maintenance Fund. Of the sum appropriated by Section 1, $2,935,200 is apportioned to be deposited in the Infrastructure Maintenance Fund pursuant to Title 55, Section 313 of the Code of the Federated States of Micronesia.

Section 4. Public Infrastructure Projects of Chuuk State.
1 Of the sum appropriated by Section 1, $29,692,028 is apportioned for the purpose of funding public infrastructure projects for Chuuk State subject to the procedures for submission and approval of such projects through the Project Management Unit, JEMCO and the infrastructure development sector allocations of the Public Infrastructure Sector Grant.

Section 5. Public Infrastructure Projects of Kosrae State.

2 Of the sum appropriated by Section 1, $7,423,097 is apportioned for the purpose of funding public infrastructure projects for Kosrae State subject to the procedures for submission and approval of such projects through the Project Management Unit, JEMCO and the infrastructure development sector allocations of the Public Infrastructure Sector Grant.

Section 6. Public Infrastructure Projects of Pohnpei State.

3 Of the sum appropriated by Section 1, $11,159,453 is apportioned for the purpose of funding public infrastructure projects for Pohnpei State subject to the procedures for submission and approval of such projects through the Project Management Unit, JEMCO and the infrastructure development section allocations of the Public Infrastructure Sector Grant.

Section 7. Public Infrastructure of Yap State. Of the sum appropriated by Section 1, $7,388,059 is apportioned for the purpose of funding public infrastructure projects for Yap State subject to the procedures for submission and approval of such projects through the Project Management Unit, JEMCO and the
Section 8. Distribution of Funds. In any given fiscal year a State or the National Government may be allowed to increase or decrease the apportionment set forth in Sections 4 through 8 upon the agreement of the three remaining States and the National Government, or the four States in the case of the National Government, and the President of the FSM in accordance with Title 55, Section 315 of the Code of the Federated States of Micronesia, provided that the total allowed projects for FY 04/05/06 for any individual State of the National Government shall not exceed the total allocations set forth in Sections 4 through 8. In addition, any such reprogramming of funds shall comply with all requirements of Title 55, Section 315 of the Code of the Federated States of Micronesia.

Section 9. Allotment and management of funds and lapse date.

(1) General Provisions.

(a) All funds appropriated by this act shall be allotted, managed, administered and accounted for in accordance with applicable laws, including, but not limited to, PL 13-72, the Financial Management Act of 1979 and the amended Compact of Free Association between the United States Government and the government of the Federated States of Micronesia and its related agreements.

(b) 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.

(2) Allottee. The allottee of the funds appropriated by this act shall be the Secretary of Transportation, Communications, and Infrastructure of the National Government, or his designee.

(3) Laps Date. The authority of the allottee to obligate funds appropriated by this act shall not lapse.

Section 10. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: **11/07/05**

Introduced by: **/s/Simiram Sipenuk**

Simiram Sipenuk
(by request)