April 18, 2011

The Honorable Isaac V. Figir
Speaker
16th FSM Congress
Palikir, Pohnpei, FM 96941

Re: Congressional Act No. 16-71

Dear Speaker Figir:

I am pleased to inform you that I have designated the following Congressional Act as Public Law No. 16-71:

Congressional Act No. 16-71, “AN ACT TO AMEND PUBLIC LAW NO. 16-62 BY AMENDING SECTIONS 2, 4 AND 6 THEREOF, TO MODIFY THE USE AND ALLOTTEES OF FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF KOSRAE AND POHNPEI, AND FOR OTHER PURPOSES.”

I like to express my appreciation to Congress for making the appropriate modifications for the use and allottee of funds for the individual public projects and social programs that are to receive funds under this law. The appropriate modification makes the appropriation and implementation process more fair and transparent. However, I have been advised that the act has a discrepancy in the figures for the State of Kosrae.

The amended appropriations under this act, in particular for public projects and social programs for the State of Kosrae shows an apparent inconsistency in the figures. Page 1 Line 4 of the subject act provides for an apportionment of $255,000, whereas Line 5 shows an amount of $150,000 with detail breakdowns. The apportionment under this act, for the State of Kosrae is $255,000, a figure of which is $105,000 more than the total amount of which the act actually provides for public projects and social programs for the State of Kosrae.

I trust that this was an oversight on the part of Congress and that action will be taken during the next session of Congress to remedy the situation by amending the apportioned amount of $255,000 to $150,000 for Kosrae State for public projects and social programs.
The Honorable Isaac V. Figir  
April 18, 2011  
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Hence, as the allottee of these funds under this act, I defer further allotment and implementation of such projects and social programs for Kosrae State that has yet to be allotted and expended until such discrepancy is cured.  

As per the above concern, I would respectfully request Congress’ further review of the subject Act during its next session to address this discrepancy so the implementation of these projects and programs could be carried out smoothly. My administration stands ready to further discuss and assist the members and staff of Congress in these matters.  

Thank you in advance for your kind attention to this important matter.  

Sincerely,  

Manny Mori  
President  

Enclosures:  

xc: Chief Justice, FSM Supreme Court  
Secretary, Department of Justice  
Director, Office of SBOC  
Legislative Counsel, CFSM  
Library, CFSM  
PIO, FSM
March 31, 2011

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. 16-71, "AN ACT TO AMEND PUBLIC LAW NO. 16-62 BY AMENDING SECTIONS 2, 4 AND 6 THEREOF, TO MODIFY THE USE AND ALLOTTEES OF FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF KOSRAE AND Pohnpei, AND FOR OTHER PURPOSES.", which was passed by the Sixteenth Congress of the Federated States of Micronesia, Sixth Special Session, 2011, 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

TO AMEND PUBLIC LAW NO. 16-62 BY AMENDING SECTIONS 2, 4 AND 6 THEREOF, TO MODIFY THE USE AND ALLOTTEES OF FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF KOSRAE AND Pohnpei, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR DION G. NETH
DATE: MARCH 21, 2011

REFERRED TO: COMMITTEE ON WAYS AND MEANS
WITHDRAWN – MARCH 23, 2011

FIRST READING: MARCH 23, 2011
SECOND READING: MARCH 28, 2011

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress
ACT NO. 16-71

(Congressional Bill No. 16-182, C.D.1, C.D.2, C.D.3)

We hereby certify that on March 28 the foregoing act passed Second and Final Reading of the Sixteenth Congress of the Federated States of Micronesia, Sixth Special Session, 2011, 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.

Isaac V. Figir
Speaker
Congress of the Federated States of Micronesia

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

To amend Public Law No. 16-62 by amending sections 2, 4 and 6 thereof, to modify the use and allottees of funds previously appropriated therein to fund public projects and social programs in the States of Kosrae and Pohnpei, and for other purposes.

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

Section 1. Section 2 of Public Law No. 16-62 is hereby amended to read as follows:

"Section 2. Of the sum of $1,050,000 appropriated by this act, $255,000 is apportioned for Kosrae State for public projects and social programs.

(1) State of Kosrae ....................... $ 150,000
    (a) Pilyuul, Malem inner road improvement................................. 20,000
    (b) Improvement of Mutunnenea to Inkoeya Inner Road......................... 23,000
    (c) Municipal Governments' community hall renovation/furniture
        (i) Lelu Municipal Government ........................................ 2,000
        (ii) Tafunsak Municipal Government ................................ 4,000
        (iii) Malem Municipal Government .................................... 4,000
        (iv) Utwa Municipal Government ...................................... 4,000
    (d) Travel needs ......................... 10,000
    (e) Finkol water system improvement .................................... 11,000
(f) Purchase of construction material/tools for Lelu Senior citizens... $ 2,000

(g) B.A. Degree Scholarship Program 20,000

(h) KHS Lunch Program .................. 20,000

(i) Walung water system .................. 10,000

(j) Local hut for KHS lunch program 5,000

(k) Supplemental for purchase of vehicle for Lunch Program .................. 5,000

(l) We Care Referral Program ........... 10,000"

Section 2. Section 4 of Public Law No. 16-62 is hereby amended to read as follows:

"Section 4. Of the sum of $1,050,000 appropriated by this act, $300,000 is apportioned for Pohnpei State for public projects and social programs.

State of Pohnpei ......................... $ 300,000

(1) Pohnpei at Large ..................... 75,000

(a) Tomara/COM FSM road improvement 30,000

(b) Food relief .......................... 7,000

(c) Pohnpei road improvement/repair 30,000

(d) MS. Caroline Voyager ............... 5,000

(e) Ohwa School Food subsidy ........... 3,000

(2) Election District No. 1 .............. 75,000

(a) Road construction/improvement 65,000

(b) Educational staff support services and school materials ............... 7,000
(c) Poultry project subsidy to assist in purchase of feed and veterinary and vaccination costs. $3,000

(3) Election District No. 2 .......... 75,000
   (a) Pohnpei PIBA Chapter .......... 10,000
   (b) Pohnpei local nursing clinic subsidy. 14,000
   (c) Ohwa International Christian Academy 8,000
   (d) Election District No. 2 participation in Guam softball tournament ....... 20,000
   (e) Kitti Judiciary Branch subsidy . 5,000
   (f) Civic Centers ................... 10,000
   (g) Pehleng fish market ............... 4,000
   (h) Sapwalapw Solar light project .. 4,000
   (4) Election District No. 3 .......... 75,000
      (a) Students financial assistance .. 2,000
      (b) Dolonier, Nett farm road improvement 25,000
      (c) U Secondary road improvement ... 30,000
      (d) Water project .................. 10,000
      (e) Contractual services for Grant writing on Seed money............... 5,000
      (f) Election District No. 3 Rural Internet Connectivity services......... 3,000"

Section 3. Section 6 of Public Law No. 16-62 is hereby amended to read as follows:
"Section 6. Allotment and management of funds and lapse date. All funds appropriated by this act shall be allotted, managed, administered and accounted for in accordance with applicable law, including, but not limited to, the Financial Management Act of 1979. 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. The allottee of funds appropriated under sections 2 and 4 of this act shall be the President of the Federated States of Micronesia or his designee, PROVIDED THAT the allottee of funds appropriated under subsection 4(1)(c) of this act shall be the Pohnpei Transportation Authority. The allottee of funds appropriated under section 3 of this act shall be the Governor of Yap State. The allottee of funds appropriated under subsections 5(1)(2)(4)(5) and (6) shall be the Chuuk State Commission on Improvement Project (CSCIP). The allottee of funds appropriated under subsection 5(3) of this act shall be the Executive Director of the Northern Namoneas Social and Economic Development Authority. The funds appropriated by this act shall remain available until fully expended."
Section 4. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

April 18, 2011

Manny Mori
President
Federated States of Micronesia