October 5, 2009

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

Dear Speaker Figir:

Transmitted herewith is the following Congressional Act, which has become Public Law 16-11 without my signature.

"AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32 AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATE OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES."

Again, I raised my concern of the legality of double funding for delegation offices—both thru annual budget and thru public project appropriation. Part X of the Financial Management Regulations is the law governing “public projects”. A legal anomaly arises where Part X defines “public project” and exclude operating cost of any government agency and yet appropriations for operation cost of delegation offices are included in “public projects” appropriation.

I have raised legal and policy concerns on this same matter before. My sentiments remain the same. For the reasons stated herein, in conjunction with reasons stated in my past relevant communications, and assuming that the action of Congress is within constitutional muster, I have allow the Act to become law without my signature.

Sincerely,

Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, SBOC
Library, CFSM
Legislative Counsel, CFSM
PIO, FSM
September 23, 2009

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. 16-9, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES."
which was passed by the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liviana K. Ramon
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures
An Act

TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED, BY AMENDING SECTION 1 THEREOF, TO CHANGE THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR THE STATES OF KOSRAE, CHUUK AND YAP, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL
DATE: SEPTEMBER 10, 2009

REFERRED TO: WAYS AND MEANS COMMITTEE
S.C.R. NO. 16-15 – SEPTEMBER 17, 2009
FIRST READING: SEPTEMBER 18, 2009
SECOND READING: SEPTEMBER 21, 2009

Liwiana K. Ramon
Chief Clerk, FSM Congress
ACT NO. 16-9


We hereby certify that on September 21 the foregoing act passed Second and Final Reading of the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, 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 K. Ramon
Chief Clerk
Congress of the Federated States of Micronesia
AN ACT

To further amend Public Law No. 15-32, as amended, by amending Section 1 thereof, to change the use of certain funds previously appropriated therein for the States of Kosrae, Chuuk and Yap, and for other purposes.

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

1 Section 1. Section 1 of Public Law No. 15-32, as amended by Public Laws Nos. 15-36, 15-44, 15-57, 15-63, 15-72, 15-78 and 16-03, is hereby further amended to read as follows:

   "Section 1. The sum of $3,780,000, or so much thereof, is hereby appropriated from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2008, for the purpose of funding public projects and social programs in each State of the Federated States of Micronesia. The fund shall be apportioned on the basis of $250,000 or less per member of Congress as follows, PROVIDED THAT an increase of $300,000 is for Yap State.

   (1) State of Kosrae......................... $ 500,000

   (a) High School lunch program and past expenses incurred relating to the implementation of the program............... 48,000

   (b) Bachelor degree program.......... 80,000

   (c) Lelu Community projects/programs 10,000
(d) Malem Community projects/ programs ........................................ $ 10,000

(e) Utwe Community projects/ programs ........................................ 10,000

(f) Tafunsak Community projects/ programs ........................................ 10,000

(g) Kosrae Women Association ........................................ 10,000

(h) Promotion and travel for Tourism Office ........................................ 10,000

(i) Kosrae State Government subsidy ........................................ 100,000

(j) Medical referrals for non-insured and non-employed Kosraeans ...... 20,000

PROVIDED THAT reprogramming of this funding is not allowed

(k) Supplemental funding for fuel for Caroline Voyager ......................... -0-

(l) Tafunsak multipurpose building renovation ........................................ 20,000

(m) Laptop Computers for Schools:

   (i) Lelu Elementary School.................................................. 1,250

   (ii) Tafunsak Elementary School............................................ 1,250

   (iii) Malem Elementary School.............................................. 1,250

   (iv) Utwa Elementary School.............................................. 1,250

   (v) Walung Elementary School............................................. 1,250

   (vi) Sansrik Elementary School........................................... 1,250
(vii) SDA School........................ $ 1,250
(viii) Kosrae High School............. 1,250
(n) Kosrae Senior Citizens Meeting Halls
   (i) Lelu Senior Citizen.......... 30,000
   (ii) Tafunsak Senior Citizen..... 30,000
   (iii) Malem Senior Citizen....... 30,000
   (iv) Utwa Senior Citizen........ 30,000
(o) Supplemental
   funding for a Master's Degree Program..... 8,000
(p) Tafunsak Youths' musical instruments 5,000
(q) KCSO's subsidy.................. 5,000
(r) National Government debts to
   ABCOR Construction.................. 12,000
(s) Kosrae Women Christian Associations
   (i) Lelu Women Christian
   Association........................ 2,000
   (ii) Tafunsak Women Christian
   Association......................... 2,000
   (iii) Malem Women Christian
   Association......................... 2,000
   (iv) Utwa Women Christian
   Association........................ 2,000
   (v) Walung Women Christian
   Association........................ 2,000
   (t) Kosrae Community in Pohnpei State 2,000
<table>
<thead>
<tr>
<th></th>
<th>(2) State of Yap</th>
<th>$ 800,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>(a) Chamber of Commerce (Matching</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>fund) the funding shall not be expended</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>unless the Chamber of Commerce contributes a</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>50% of either in kind and/or monetary</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>contribution as it’s matching</td>
<td>50,000</td>
</tr>
<tr>
<td>7</td>
<td>(b) Ruu and Amun villages</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>basketball courts</td>
<td>-0-</td>
</tr>
<tr>
<td>9</td>
<td>(c) Lands' Acquisition (Outer</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Island of Yap</td>
<td>50,000</td>
</tr>
<tr>
<td>11</td>
<td>(d) Southern Yap water system</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>equipment purchase</td>
<td>25,000</td>
</tr>
<tr>
<td>13</td>
<td>(e) Tomil Road repair</td>
<td>25,000</td>
</tr>
<tr>
<td>14</td>
<td>(f) Amun bridge</td>
<td>20,000</td>
</tr>
<tr>
<td>15</td>
<td>(g) Water extension, Makiy village</td>
<td>9,000</td>
</tr>
<tr>
<td>16</td>
<td>(h) Road improvements, Wanyan village</td>
<td>30,000</td>
</tr>
<tr>
<td>17</td>
<td>(i) Bugol women multipurpose building</td>
<td>45,000</td>
</tr>
<tr>
<td>18</td>
<td>(j) Ngulu dispensary</td>
<td>18,000</td>
</tr>
<tr>
<td>19</td>
<td>(k) Falalus and Seliap community</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>centers repairs</td>
<td>23,000</td>
</tr>
<tr>
<td>21</td>
<td>(l) Qapluul village water, sewer,</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>and power extension projects</td>
<td>27,000</td>
</tr>
<tr>
<td>23</td>
<td>(m) Gachpar men’s house</td>
<td>50,000</td>
</tr>
<tr>
<td>24</td>
<td>(n) Wottegai Road project</td>
<td>10,000</td>
</tr>
<tr>
<td>25</td>
<td>(o) Tugunbinau bridge, Maap</td>
<td>50,000</td>
</tr>
</tbody>
</table>
(p) Outer Islands’ agriculture programs and projects (concrete taro patches, purchase of tools and equipment). $ 47,000
(q) Pikelot Island water catchment and shelter ....................... 7,000
(r) Outer Islands’ Transportation needs (boats, two outboard motors for Falalus and Faraulap Islands, POL and charter and provisioning) ....................... 102,000
(s) YSPSC subsidy for POL ....................... 100,000
(t) Boats & motors for Seliap & Tegailap, Woleai ....................... 30,000
(u) Meerur men’s house repair ......... 16,000
(v) Completion of Wotegai community center in Qapluul village .... 20,000
(w) Mariyong Island Community Piggery project ............... 20,000
(x) Reimbursement to Woleai Atoll Community Account ............... 6,000
(y) Woleai Airport equipments purchase .......... 7,000
(z) Outboard motor for the Office of the Yap State Governor ........ 13,000
(3) State of Pohnpei ....................... 1,000,000
(a) Pohnpei State At-Large (i) Construction and renovation of
road, bridges, culverts and road drainages
from Palikir to Kolonia...................... $ -0-

(b) Election District No. 1

(i) 2nd Phase (Baptist School classroom construction)...................... 100,000

(ii) EDI operation..................... 30,000

(iii) Kolonia Town Ladies

Training Center renovations............. 10,000

(iv) Tomara Road construction.... 60,000

(v) Sapwuafik Community

Center Renovations....................... 10,000

(vi) Peidie Road paving............. 72,000

(vii) Completion of Ipwal Road... 18,000

(viii) Sekere retaining wall...... 10,000

(c) Election District No. 2

(i) Water Delivery Services.... 40,000

(ii) Students' Financial Assistance....................... 15,000

(iii) Secondary Road Improvement....................... 100,000

(iv) ED2 operation..................... 49,000

(v) Civic Centers.................. 30,000

(vi) Agriculture Fair............. 3,500

(vii) Enipein Elementary

School Teacher's Aide..................... 2,000
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(viii) Kitti Fish Market</td>
<td>$ -0-</td>
</tr>
<tr>
<td>2</td>
<td>(ix) Sports facilities</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>improvement</td>
<td>1,500</td>
</tr>
<tr>
<td>4</td>
<td>(x) Outboard Motor for Kitti Police</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>(xi) Madolenihmw Municipal</td>
<td>3,370</td>
</tr>
<tr>
<td>6</td>
<td>Government subsidy</td>
<td>10,000</td>
</tr>
<tr>
<td>7</td>
<td>(xii) Kitti/Madolenihmw</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Outreach program</td>
<td>10,000</td>
</tr>
<tr>
<td>9</td>
<td>(xiii) Grant writer assistance</td>
<td>2,807</td>
</tr>
<tr>
<td>10</td>
<td>(xiv) Pohnpei Coconut Processing</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Plant repair</td>
<td>6,675</td>
</tr>
<tr>
<td>12</td>
<td>(xv) Nanmand Lumber</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Milling (Pwihno)</td>
<td>3,500</td>
</tr>
<tr>
<td>14</td>
<td>(xvi) ED #2 Municipal management workshop</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td>3,000</td>
</tr>
<tr>
<td>16</td>
<td>(xvii) Salapwuk Teacher's Aide</td>
<td>4,000</td>
</tr>
<tr>
<td>17</td>
<td>(xviii) NMS cook</td>
<td>$ -0-</td>
</tr>
<tr>
<td>18</td>
<td>(xix) Madolenihmw Cold Storage</td>
<td>4,000</td>
</tr>
<tr>
<td>19</td>
<td>(xx) Lukop/Wone ECE</td>
<td>4,552</td>
</tr>
<tr>
<td>20</td>
<td>(xxi) Temwen and Nanmadol water system supply</td>
<td>60,000</td>
</tr>
<tr>
<td>21</td>
<td>(xxii) Mand Community Nahs</td>
<td>7,096</td>
</tr>
<tr>
<td>22</td>
<td>(d) Election District No. 3</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>(i) ED #3 Operation</td>
<td>63,500</td>
</tr>
</tbody>
</table>
(ii) Students and public transportation services ....................... $ 28,000
(iii) Students' financial assistance ........................................ 8,000
(iv) Youth sports activities ....... 7,500
(v) Agriculture Fair ............... 3,000
(vi) ED #3 Working Group supplemental ...................................... 8,000
(vii) ED #3 Water System ............ 10,000
(viii) U public facilities repairs and maintenance ....................... 50,000
(ix) Nett public facilities repairs and maintenance ..................... 55,000
(x) Mwoakilloa public facilities repairs and maintenance and transportation needs ....................... 20,000
(xi) Pingelap public facilities repairs and maintenance and transportation needs ....................... 25,000
(xii) Mwoakilloa multipurpose house renovation ................................ 2,000
(xiii) Pohnkeimw Secondary Road paving ....................................... 50,000
(4) State of Chuuk ......................... 1,480,000
(a) Chuuk State At-Large
(i) Public Facilities repair and improvement $ 30,000
(ii) Youth Activities' programs and projects 27,000
(iii) Students' Financial Assistance 7,000
(iv) Low Income Housing subsidy 30,000
(v) Farmers and Students' land transportations 17,000
(vi) Leadership exposures and travel 15,000
(vii) Farmers planting tools and seedling project 11,000
(viii) CSCIP operation 5,000
(ix) Offices Rental and Operations Commission 7,000
(x) POL and Charter 5,000
(xi) At-Large Office Operation 20,000
(xii) Sports facilities construction (basketball courts) 18,000
(xiii) Fishing gear and equipment 15,000
(xiv) Seawall and Taro Patchs Protection 10,000
1. (xv) Multipurpose building repair and renovation.......................... $5,000
2. (xvi) Feeding program.............................. 10,000
3. (xvii) Medical referral and repatriation of remains....................... 10,000
4. (xviii) OCHAP Community Hall Construction................................. 5,000
5. (xix) Contribution and cost sharing with At-Large to ED #5 Operation... 20,000
6. (xx) Tonoas Municipal Government inauguration activities.................. 1,000
7. (xxi) Udot Municipal Government inauguration activities.................. 1,000
8. (xxii) Kuttu Municipal Government inauguration activities................ 1,000
9. (b) Election District No. 1
10. (i) Students' Financial Assistance....................................... 10,000
11. (ii) Mortlock Development Commission outstanding debts (past and present).............................. 8,119
12. (iii) Municipal Governments' subsidy
13. a. Nema Municipality............. 7,000
14. b. Losap Municipality......... 5,500
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>c. Pis-emwar Municipality</td>
<td>5,000</td>
</tr>
<tr>
<td>2</td>
<td>d. Namoluk Municipality</td>
<td>6,000</td>
</tr>
<tr>
<td>3</td>
<td>e. Ettal Municipality</td>
<td>5,000</td>
</tr>
<tr>
<td>4</td>
<td>f. Moch Municipality</td>
<td>7,000</td>
</tr>
<tr>
<td>5</td>
<td>g. Kuttu Municipality</td>
<td>6,000</td>
</tr>
<tr>
<td>6</td>
<td>h. Ta Municipality</td>
<td>5,000</td>
</tr>
<tr>
<td>7</td>
<td>i. Satowan Municipality</td>
<td>7,000</td>
</tr>
<tr>
<td>8</td>
<td>j. Lekinioch Municipality</td>
<td>7,000</td>
</tr>
<tr>
<td>9</td>
<td>k. Oneop Municipality</td>
<td>6,000</td>
</tr>
<tr>
<td>10</td>
<td>(iv) Community Housing improvement</td>
<td>45,000</td>
</tr>
<tr>
<td>11</td>
<td>(v) Leadership Conference</td>
<td>15,000</td>
</tr>
<tr>
<td>12</td>
<td>(vi) Leadership travel</td>
<td>10,000</td>
</tr>
<tr>
<td>13</td>
<td>(vii) Youth musical instruments</td>
<td>8,000</td>
</tr>
<tr>
<td>14</td>
<td>(viii) Youth Centers subsidies</td>
<td>21,881</td>
</tr>
<tr>
<td>15</td>
<td>(ix) Students’ Land Transportation</td>
<td>5,000</td>
</tr>
<tr>
<td>16</td>
<td>(x) CSCIP</td>
<td>5,000</td>
</tr>
<tr>
<td>17</td>
<td>(xi) Sea transportation assistance</td>
<td>13,000</td>
</tr>
<tr>
<td>18</td>
<td>(xii) Contribution to ED #1 Associations</td>
<td>12,000</td>
</tr>
<tr>
<td>19</td>
<td>(xiii) Payment for printing services</td>
<td>3,500</td>
</tr>
<tr>
<td>20</td>
<td>(xiv) ED #1 Multipurpose building renovations supplements</td>
<td>11,000</td>
</tr>
<tr>
<td>21</td>
<td>(xv) ED #1 Operation</td>
<td>11,000</td>
</tr>
<tr>
<td>22</td>
<td>(xvi) Administrative Support</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>costs for Delegation</td>
<td>5,000</td>
</tr>
</tbody>
</table>
(c) Election District No. 2

(i) Basketball court $7,000

(ii) Meeting Halls

(a) Neoram, Nepukos 10,000
(b) Faichu, Eor 6,000
(c) Faramas, Sapuk 4,000
(d) Neinifach, Mwan 5,000

(iii) Public/School/Bus Operation 35,000

(iv) Road Construction 0

(v) Repatriation of human remains 6,000

(vi) Kokumy cultural celebration 4,000

(vii) CSCIP 10,000

(viii) NNDA operation 25,000

(ix) Housing Assistance 15,000

(x) Fishing projects 20,000

(xi) Medical supplies & equipments 0

(xii) Leadership travel & exposure 10,000

(xiii) Public facilities repair and improvement 33,000

(d) Election District No. 3

(i) Election District No. 3 Operation 25,000

(ii) Housing and Community Halls 45,500
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>(iii) Fishing projects</td>
<td>$15,000</td>
</tr>
<tr>
<td>2</td>
<td>(iv) Fiberglass boats repair</td>
<td>$5,000</td>
</tr>
<tr>
<td>3</td>
<td>(v) Municipal inauguration activities</td>
<td>$4,500</td>
</tr>
<tr>
<td>4</td>
<td>(vi) Sport Tournaments facilities/supplies</td>
<td>$3,000</td>
</tr>
<tr>
<td>5</td>
<td>(vii) Feeding Program</td>
<td>$10,000</td>
</tr>
<tr>
<td>6</td>
<td>(viii) Crafting and sewing projects</td>
<td>$7,000</td>
</tr>
<tr>
<td>7</td>
<td>(ix) Market/local produce</td>
<td>$10,000</td>
</tr>
<tr>
<td>8</td>
<td>(x) Project Management</td>
<td>$12,500</td>
</tr>
<tr>
<td>9</td>
<td>(xi) CSCIP operation</td>
<td>$5,000</td>
</tr>
<tr>
<td>10</td>
<td>(xii) Subsidy for entrepreneurship and business start up</td>
<td>$10,000</td>
</tr>
<tr>
<td>11</td>
<td>(xiii) Nukuno Christian School</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>solar panels/computers</td>
<td>$10,000</td>
</tr>
<tr>
<td>13</td>
<td>(xiv) Leadership Travel</td>
<td>$15,000</td>
</tr>
<tr>
<td>14</td>
<td>(xv) Youth rehabilitation programs</td>
<td>$9,000</td>
</tr>
<tr>
<td>15</td>
<td>(xvi) Mayors Leadership Conference</td>
<td>$5,000</td>
</tr>
<tr>
<td>16</td>
<td>(xvii) Land transportation</td>
<td>$12,500</td>
</tr>
<tr>
<td>17</td>
<td>(xviii) Municipal Governments' subsidies</td>
<td>$46,000</td>
</tr>
<tr>
<td>18</td>
<td>(e) Election District No. 4</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>(i) Students' Financial</td>
<td>$10,000</td>
</tr>
</tbody>
</table>
(ii) Youth activities and programs ........................................ $ 10,000

(iii) Leadership exposure

and travel ................................................................. 15,000

(iv) FDA operations .................................................. 20,000

(v) CSCIP operation .................................................. 5,000

(vi) Udot Municipal subsidy ........................................ 10,000

(vii) Low income housing grant .................................. 40,000

(viii) Iongkumi fishing project .................................. 40,000

(ix) Fiberglass boats repair ...................................... 10,000

(x) Food relief ......................................................... 10,000

(xi) Land transportation ........................................... 20,000

(xii) Polle Municipal subsidy .................................... 10,000

(xiii) ED #4 office operation .................................... 30,000

(xiv) Famachaw farming project ................................. 10,000

(xv) Medical referrals & repatriation of remains ............ 10,000

(f) Election District No. 5

(i) POL & Charter .................................................. 59,000

(ii) Food Relief ...................................................... 13,846

(iii) Rental office space, office supplies and equipment, communication and utilities ................................. 0

(iv) Students' Financial Assistance .............................. 0
(v) Medical referral, pharmaceuticals and repatriation of remains $14,426
(vi) CSCIP....................... 5,000
(vii) Operations (ED #5)........ 26,728
(viii) Project Management........ 20,000
(ix) On the job training subsidy -0-
(x) Land Acquisition for the
people of Halls, Weito and Pattiw Islands.. 71,000

PROVIDED THAT the allottee of this specific
funding shall deposit the funds into the
Special Funds within the General Fund of the
Federated States of Micronesia for Chuuk
Election District No. 5 established pursuant
to Public Law No. 13-83.

(y) Land filling in Weno....... 10,000"
Section 2. This act shall become law upon approval by the
President of the Federated States of Micronesia or upon its
becoming law without such approval.


Manny Mori
President
Federated States of Micronesia