



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 17-156
FSM CONGRESS

December 5, 2011

The Honorable Isaac V. Figir
Speaker
17th FSM Congress
Palikir, Pohnpei FM 96941



Dear Speaker Figir:

Christmas greetings to you, members of Congress, staff, and your families!

I am pleased to sign and designate as Public Law No. 17- 28 the following Congressional Act, entitled:

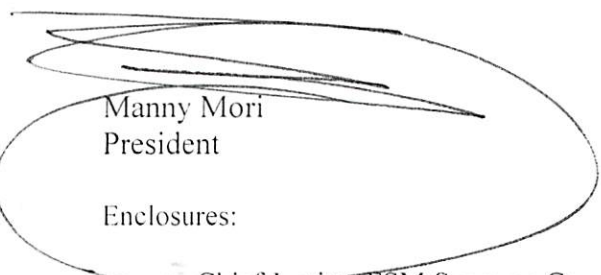
Congressional Act No. 17-28, entitled: "AN ACT TO AMEND SECTIONS 1, 2, 5, 6, 7, 8, 9, 10 AND 12 OF PUBLIC NO. 17-19 IN ORDER TO APPROPRIATE \$1,025,436 OF SUPPLEMENTAL FUNDING FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, TO ALIGN THE BUDGET ACT WITH THE RECENT COMPACT GRANT AWARDS, TO INTRODUCE TECHNICAL AMENDMENTS CONCERNING THE ALLOTTEE OF FUNDING; AND FOR OTHER PURPOSES."

I take this opportunity to thank you and members of the Seventeenth Congress for taking action on this important matter during the special session last month.

I wish to note that the inclusion of Sections 5, 6 and 10 of Public Law No. 17-19 in the Congressional Act is unnecessary, there being no changes made under any of those sections. Accordingly, the current status of said sections in the FY12 budget shall remain the same.

With warm personal regards, I remain,

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



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Chief Clerk

November 29, 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. 17-28, "AN ACT TO AMEND SECTIONS 1, 2, 5, 6, 7, 8, 9, 10 AND 12 OF PUBLIC LAW NO. 17-19 IN ORDER TO APPROPRIATE \$1,025,436 OF SUPPLEMENTAL FUNDING FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, TO ALIGN THE BUDGET ACT WITH THE RECENT COMPACT GRANT AWARDS, TO INTRODUCE TECHNICAL AMENDMENTS CONCERNING THE ALLOTTEE OF FUNDING; AND FOR OTHER PURPOSES.", which was passed by the Seventeenth Congress of the Federated States of Micronesia, Second Special Session, 2011, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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

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

Enclosures

PRESIDENTIAL COMM. NO. 17-156
FSM CONGRESS





PRESIDENTIAL COMM. NO. 17-154
FSM CONGRESS
SEVENTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
SECOND SPECIAL SESSION
NOVEMBER 17 – 23, 2011

PUBLIC LAW No. 17-28

An Act

TO AMEND SECTIONS 1, 2, 5, 6, 7, 8, 9, 10 AND 12 OF PUBLIC LAW NO. 17-19 IN ORDER TO APPROPRIATE \$1,025,436 OF SUPPLEMENTAL FUNDING FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012, TO ALIGN THE BUDGET ACT WITH THE RECENT COMPACT GRANT AWARDS, TO INTRODUCE TECHNICAL AMENDMENTS CONCERNING THE ALLOTTEE OF FUNDING; AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: FLORENCIO S. HARPER (BY REQUEST)

DATE: NOVEMBER 21, 2011

REFERRED TO: COMMITTEE ON WAYS AND MEANS

S.C.R. NO. 17-64 – NOVEMBER 22, 2011

FIRST READING: NOVEMBER 22, 2011

SECOND READING: NOVEMBER 23, 2011

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



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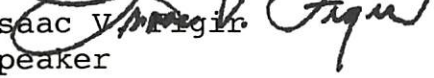
Office of the Speaker


PRESIDENTIAL COMM. NO. 17-156
FSM CONGRESS

ACT NO. 17-28

(CONGRESSIONAL BILL NO. 17-73, C.D.1,
C.D.2, C.D.3)

We hereby certify that on November 23 the foregoing act passed Second and Final Reading of the Seventeenth Congress of the Federated States of Micronesia, Second 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. Igin
Speaker
Congress of the
Federated States of Micronesia


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



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Speaker

PRESIDENTIAL COMM. NO. 17/50
FSM CONGRESS

ACT NO. 17-28

(CONGRESSIONAL BILL NO. 17-73, C.D.1,
C.D.2, C.D.3)

We hereby certify that on November 23 the foregoing act passed Second and Final Reading of the Seventeenth Congress of the Federated States of Micronesia, Second 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

SEVENTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

SECOND SPECIAL SESSION, 2011

CONGRESSIONAL BILL NO. 17-73, C.D.1,
C.D.2, C.D.3

PUBLIC LAW No. 17-28

AN ACT

To amend sections 1, 2, 5, 6, 7, 8, 9, 10 and 12 of Public Law No. 17-19 in order to appropriate \$1,025,436 of supplemental funding for the fiscal year ending September 30, 2012, to align the budget act with the recent Compact Grant Awards, to introduce technical amendments concerning the allottee of funding; 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. 17-19 is hereby
2 amended to read as follows:

3 "Section 1. Purpose. The purpose of this act is to
4 appropriate the sum of \$45,277,053, or so much
5 thereof as may be necessary, from the General Fund
6 of the Federated States of Micronesia for the fiscal
7 year ending September 30, 2012, for the purpose of
8 funding the operations of all branches of the
9 National Government of the Federated States of
10 Micronesia, its agencies, various programs, grants,
11 subsidies and contributions. Of the total amount of
12 funds appropriated herein, \$4,437,560 shall be
13 deemed to come from funds available under the
14 amended Compact from the education sector subject to
15 the receipt of Grant Awards under the amended
16 Compact; \$1,176,656 shall be deemed to come from
17 funds available under the Supplemental Education

PUBLIC LAW No. 17-28

1 Grant; \$878,750 shall be deemed to come from funds
2 available under the amended Compact from the health
3 sector subject to the receipt of Grant Awards under
4 the amended Compact; \$329,598 shall be deemed to
5 come from funds available under the amended Compact
6 from the capacity building sector; \$-0- shall be
7 deemed to come from funds available under the
8 amended Compact from the private sector development
9 sector; and \$1,194,212 shall be deemed to come from
10 funds available under the amended Compact from the
11 infrastructure sector.

12 Section 2. Section 2 of Public Law No. 17-19 is hereby
13 amended to read as follows:

14 "Section 2. Operating expenses of the Executive
15 Branch. The sum of \$18,032,962, or so much thereof
16 as may be necessary, is hereby appropriated from the
17 General Fund of the Federated States of Micronesia
18 for the fiscal year ending September 30, 2012, for
19 the purpose of funding the operations of the
20 Executive Branch of the National Government during
21 fiscal year 2012. Of the total amount of funds
22 appropriated herein, \$637,560 shall be deemed to come
23 from funds available under the amended Compact from
24 the education sector subject to the receipt of Grant
25 Awards under the amended Compact; \$493,310 shall be

PUBLIC LAW No. 17-28

deemed to come from funds available under the Supplemental Education Grant; \$678,750 shall be deemed to come from funds available under the amended Compact from the health sector subject to the receipt of Grant Awards under the amended Compact; and \$162,450 shall be deemed to come from funds available under the amended Compact from the capacity building sector; and \$834,212 shall be deemed to come from funds available under the amended Compact from the infrastructure sector. The sum appropriated by this section shall be apportioned as follows:

(1) Office of the President.

The sum of \$719,714, or so much thereof as may be necessary, for the operations of the Office of the President during fiscal year 2012. The sum appropriated herein shall be apportioned as follows:

Personnel	\$ 340,826
Travel	133,324
Contractual Services	146,000
OCE	90,564
Fixed Assets	9,000

(2) Department of Foreign Affairs.

The sum of \$4,132,617, or so much thereof as may be necessary, for the operations of the Department of Foreign Affairs during fiscal year 2012. The sum

PUBLIC LAW No. 17-28

1 appropriated herein shall be apportioned as follows:

2 Personnel \$ 1,297,155

3 Travel 234,893

4 Contractual Services; PROVIDED THAT \$8,000

5 shall be used to pay lease expenses accrued

6 during to and prior to fiscal year 2011 ... 2,187,837

7 OCE 369,232

8 Fixed Assets 43,500

9 (3) Department of Finance and Administration.

10 The sum of \$1,814,472, or so much thereof as may be

11 necessary, for the operations of the Department of

12 Finance and Administration during fiscal year 2012.

13 Of the total amount of funds appropriated herein,

14 \$162,450 shall be deemed to come from funds available

15 under the amended Compact from the capacity building

16 sector. The sum appropriated herein shall be

17 apportioned as follows:

18 Personnel \$ 1,106,718

19 Travel 169,450

20 Contractual Services 322,906

21 OCE 212,398

22 Fixed Assets 3,000

23 (4) Department of Resources and Development.

24 The sum of \$849,750, or so much thereof as may be

25 necessary, for the operations of the Department of

1 Resources and Development during fiscal year 2012.

2 The sum appropriated herein shall be apportioned as
3 follows:

4	Personnel	\$	527,160
5	Travel		112,081
6	Contractual Services		103,307
7	OCE		87,602
8	Fixed Assets		19,600

9 (5) Department of Transportation, Communication and
10 Infrastructure.

11 The sum of \$3,113,046, or so much thereof as may be
12 necessary, for the operations of the Department of
13 Transportation, Communication and Infrastructure
14 during fiscal year 2012. Of the total amount of
15 funds appropriated herein, \$834,212 shall be deemed
16 to come from funds available under the amended
17 Compact from the infrastructure sector. The sum
18 appropriated herein shall be apportioned as follows:

19	Personnel	\$	1,181,684
20	Travel		152,203
21	Contractual Services		1,539,971
22	OCE		116,000
23	Fixed Assets		123,188

24 (6) Department of Health and Social Affairs.

25 The sum of \$963,870, or so much thereof as may be

PUBLIC LAW No. 17-28

1 necessary, for the operations of the Department of
2 Health and Social Affairs during fiscal year 2012.
3 Of the total amount of funds appropriated herein,
4 \$678,750 shall be deemed to come from funds available
5 under the amended Compact from the health sector
6 subject to the receipt of Grant Awards under the
7 amended Compact. The sum appropriated herein shall
8 be apportioned as follows:

9	Personnel	\$	446,901
10	Travel		161,208
11	Contractual Services		266,421
12	OCE		89,340
13	Fixed Assets		-0-

14 (7) Department of Education.

15 The sum of \$1,175,007, or so much thereof as may be
16 necessary, for the operations of the Department of
17 Education during fiscal year 2012. Of the total
18 amount of funds appropriated herein, \$637,560 shall
19 be deemed to come from funds available under the
20 amended Compact from the education sector subject to
21 the receipt of Grant Awards under the amended
22 Compact; and \$493,310 shall be deemed to come from
23 funds available under the Supplemental Education
24 Grant. The sum appropriated herein shall be
25 apportioned as follows:

PUBLIC LAW No. 17-28

1	Personnel	\$	469,926
2	Travel		125,723
3	Contractual Services		495,153
4	OCE		50,705
5	Fixed Assets		33,500

6 (8) Department of Justice.

7 The sum of \$3,068,676, or so much thereof as may be
8 necessary, for the operations of the Department of
9 Justice during fiscal year 2012. The sum
10 appropriated herein shall be apportioned as follows:

11	Personnel	\$	2,300,029
12	Travel		138,131
13	Contractual Services		143,758
14	OCE		440,720
15	Fixed Assets		46,038

16 (9) Office of the Public Defender.

17 The sum of \$763,671, or so much thereof as may be
18 necessary, for the operations of the Office of the
19 Public Defender during fiscal year 2012. The sum
20 appropriated herein shall be apportioned as follows:

21	Personnel	\$	525,442
22	Travel		78,779
23	Contractual Services		115,350
24	OCE		44,100
25	Fixed Assets		-0-

1	Union (ITU)	\$ 55,000
2	(c) International Civil Aviation	
3	Organization	28,050
4	(d) FSM Capital Energy/Utilities ...	500,000
5	(e) Micro. Shipping Comm.	5,000
6	(f) Sea and Air Transport Task Force	-0-
7	(8) <u>Office of Statistics, Budget, Overseas</u>	
8	<u>Development Assistance and Compact Management.</u>	
9	(a) Asia Pacific Investment	250
10	(9) <u>Office of Environment and Emergency</u>	
11	<u>Management (E.E.M).</u>	
12	(a) Secretariat of Pacific Regional	
13	Environment	10,184
14	(b) UN Environmental Protection	
15	Agency (UNEP)	760
16	(c) SPREP/Noumea Convention	1,764
17	(d) Waigani Convention (Annual	
18	Membership Fee)	1,190
19	(e) UN Convention to Combat	
20	Desertification	120
21	(f) UN Framework Convention (UNFCC)	250
22	(g) Earth Day Activities	15,000
23	(h) EPA Director's Meeting	20,000
24	(10) <u>Office of NACHP.</u>	
25	(a) UNESCO	4,000

PUBLIC LAW No. 17-28

1	(b) NCSHPO	\$	2,760
2	(c) PARBICA		100
3	(d) PIALA		100
4	(e) WHC Membership Fee		54
5	(11) <u>Coconut Development Authority.</u>		
6	(a) Copra subsidy		100,000
7	(b) Asia Pacific Coconut Community (APCC)		13,500
8	(12) <u>Department of Justice.</u>		
9	(a) DOJ Fuel Subsidy		500,000
10	(b) Kosrae Joint Law Enforcement ...		25,000
11	(c) Pohnpei Joint Law Enforcement ..		50,000
12	(d) Chuuk Joint Law Enforcement		50,000
13	(e) Yap Joint Law Enforcement		25,000
14	(13) <u>Other Grants, Subsidies and Contributions.</u>		
15	(a) Kosrae Judiciary Subsidy		30,000
16	(b) Pohnpei Judiciary Subsidy		45,000
17	(c) Chuuk Judiciary Subsidy		45,000
18	(d) Yap Judiciary Subsidy		30,000
19	(e) COM Treaty Obligations		25,000
20	(f) Tuna Commission Membership		64,065
21	(g) Disaster Assistance Emergency		
22	Fund (DAEF) Matching		200,000
23	(h) MiCare		100,000
24	(i) MLFC Loan Payment		200,000
25	(j) FY10 Single Audit		329,250

1	(k) Compact Review Committee	\$	-0-
2	(l) FSM Social Security		1,200,000
3	(m) Staff Housing		510,000
4	(n) Recruitment and repatriation ...		233,218
5	(o) MLSC		150,000
6	(p) Former Presidents' Allowance ...		50,000
7	(q) GMP Settlement Agreement		2,439,557"

8 Section 7. Section 9 of Public Law No. 17-19 is hereby
9 amended to read as follows:

10 "Section 9. Capital and Human Resources Development.
11 The sum of \$10,216,812, or so much thereof as may be
12 necessary, is hereby appropriated from the General
13 Fund of the Federated States of Micronesia for the
14 fiscal year ending September 30, 2012, for the
15 following capital improvements, development programs
16 and projects, and human resources development. Of
17 the total amount of funds appropriated herein,
18 \$3,800,000 shall be deemed to come from funds
19 available under the amended Compact from the
20 education sector subject to the receipt of Grant
21 Awards under the amended Compact; \$683,346 shall be
22 deemed to come from funds available under the
23 Supplemental Education Grant; \$200,000 shall be
24 deemed to come from funds available under the amended
25 Compact from the health sector subject to receipt of

PUBLIC LAW No. 17-28

1 Grant Awards under the amended Compact; \$360,000
2 shall be deemed to come from funds available under
3 the amended Compact from the infrastructure sector;
4 and \$-0- shall be deemed to come from funds available
5 under the amended Compact from the capacity building
6 sector. The sum appropriated by this section shall
7 be apportioned as follows:
8 (1) College of Micronesia - FSM.
9 (a) College of Micronesia-FSM \$ 3,800,000
10 (b) FSM Fisheries and Maritime Institute 655,110
11 (c) COM-FSM Supplemental Education
12 Grant (SEG) 683,346
13 (2) Department of Finance and Administration.
14 (a) Tax Reform 117,000
15 (3) Department of Resources and Development.
16 (a) National Export Strategy 59,750
17 (b) Promote FSM in appropriate market
18 segments to realize the sector's potential 100,000
19 (c) Improving food security 100,000
20 (d) Coconut Rehabilitation Program . 69,268
21 (e) FSM Chamber of Commerce 67,000
22 (4) Department of Transportation,
23 Communication and Infrastructure.
24 (a) Dry docking of MS Caroline Voyager 500,000
25 (b) President's Office Improvement . -0-

PUBLIC LAW No. 17-28

1	(c) FSM Capital Rehabilitation \$	100,000
2	(d) FSM Capital Official	
3	Residence Fencing	-0-
4	(e) FSM Capital Road/Bridge	100,000
5	(f) Purchase of Aircraft	-0-
6	(g) Backup generator	-0-
7	(5) <u>Department of Justice.</u>	
8	(a) FSS Independence - Lep	85,000
9	(b) FSS Micro - Slipping	250,000
10	(c) Aerial Surveillance	25,000
11	(d) Immigration/Passport Facilitation	-0-
12	(6) <u>Infrastructure Maintenance Fund</u>	
13	(a) Infrastructure Development	-0-
14	(b) Infrastructure Maintenance	
15	Fund (IMF)	250,000
16	(7) <u>President's Office.</u>	
17	(a) FSM Trust Fund	1,000,000
18	(b) Personnel Staff Upgrading	50,000
19	(c) Personnel Capacity Building Roadmap	115,000
20	(8) <u>Public Defender (Pohnpei Office).</u>	
21	(a) Office Renovation and Retaining Wall	12,000
22	(9) <u>National Election.</u>	
23	(a) National election (Voter ID	
24	Card Project)	25,000
25	(10) <u>Department of Health & Social Affairs.</u>	

PUBLIC LAW No. 17-28

1	(a) Health Services (pathologist) . \$	100,000
2	(b) Environmental/Water/Food Lab Test	100,000
3	(c) Sport Facility contribution	300,000
4	(11) <u>FSM Development Bank.</u>	
5	(a) Private Sector Capital	-0-
6	(12) <u>National Judiciary.</u>	
7	(a) Chuuk SC Renovation	9,900
8	(b) Kosrae SC Renovation	65,964
9	(c) Pohnpei SC Renovation	55,000
10	(d) Yap SC Renovation	12,474
11	(13) <u>FSM Postal Services.</u>	
12	(a) Kosrae Post Office	100,000
13	(14) <u>Pension Program.</u>	
14	(a) National Government Workers Pension	
15	Plan	-0-
16	(15) <u>Outer Island Airport.</u>	
17	(a) Outer Island Airport Upgrade ...	750,000
18	(16) ADSL	360,000
19	(17) Survey on FSM citizens in US	200,000"

20 Section 8. Section 10 of Public Law No. 17-19 is amended to
21 read as follows:

22 "Section 10. Employment ceilings. The maximum number
23 of positions for each branch and agency of the National
24 Government of the Federated States of Micronesia for
25 fiscal year 2012 shall be as follows:

PUBLIC LAW No. 17-28

1	(1) Executive Branch	478
2	(2) Legislative Branch	60
3	(3) Judiciary Branch	31
4	(4) Public Auditor	25
5	(5) Agencies	
6	(a) National Oceanic Resource	
7	Management Authority	11
8	(b) Coconut Development Authority...	4
9	(c) FSM Banking Board	4
10	(d) FSM Insurance Board	4
11	(e) National Postal Services	38
12	(6) Special Programs	
13	(a) National Election Office	11"

14 Section 9. Section 12 of Public Law No. 17-19 is hereby
15 amended to read as follows:

16 "Section 12. Allotment and management of funds and
17 lapse dates.

18 (1) General provisions.

19 (a) All funds appropriated by this act shall
20 be allotted, managed, administered and accounted for
21 in accordance with applicable law, including, but not
22 limited to, the Financial Management Act of 1979.

23 (b) The allottees shall be responsible for
24 ensuring that these funds, or so much thereof as may
25 be necessary, are used solely for the purposes

1 specified in this act, and that no obligations are
2 incurred in excess of the sums appropriated.

3 (2) Allottees. The allottees of the funds
4 appropriated by this act are as follows:

5 (a) Section 2 - the allottee of these funds
6 shall be the President of the Federated States of
7 Micronesia;

8 (b) Section 3 - the allottee of these funds
9 shall be the Speaker of the Congress of the Federated
10 States of Micronesia;

11 (c) Section 4 - the allottee of these funds
12 shall be the Chief Justice of the Supreme Court of
13 the Federated States of Micronesia;

14 (d) Section 5 - the allottee of these funds
15 shall be the Public Auditor of the Federated States
16 of Micronesia;

17 (e) Sections 6 through 9 - the allottee of
18 these funds shall be the President of the Federated
19 States of Micronesia; PROVIDED, HOWEVER, that for the
20 following subsections of sections 8 through 9 of this
21 act:

22 (i) Section 8, subsection (13)(a)
23 through (d) - the allottee of these funds shall be
24 the Chief Justice of the respective State Supreme
25 Court,

1 (ii) Section 9(1)(a) - the allottee of
2 these funds shall be the President of the College of
3 Micronesia-FSM,

4 (iii) Section 9, subsection (12)(a)
5 through (d) - the allottee of these funds shall be
6 the Chief Justice of the FSM Supreme Court.

7 (3) Lapse date. The authority of the allottees to
8 obligate funds appropriated by this act shall lapse
9 as of September 30, 2012; PROVIDED, HOWEVER, that the
10 funds appropriated under section 9 of this act shall
11 not lapse; PROVIDED FURTHER, that for the funds
12 appropriated by section 9, subsection (16) of this
13 act, the authority of the allottee to obligate funds
14 shall lapse on December 30, 2011."
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PUBLIC LAW No. 17-28

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

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December 6, 2011

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Manny Mori
President
Federated States of Micronesia

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