



The President
Palikir, Pohnpei
Federated States of Micronesia

January 30, 2014

The Honorable Dohsis Halbert
Speaker
18th FSM Congress
Palikir, Pohnpei FM 96941

PRESIDENTIAL COMM. NO. 18-209
FSM CONGRESS

RECEIVED
JAN 30 2014
FSM Congress
Speakers Office

Dear Speaker Halbert:

I am returning the following Congressional Acts, which I have signed to become public laws as follows:

Congressional Act No. 18-36 as Public Law No. 18-36: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-36, AS AMENDED BY PUBLIC LAWS NOS. 17-48, 17-78 AND 17-87, BY AMENDING SECTIONS 4 AND 6 THEREIN, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI AND CHUUK, AND FOR OTHER PURPOSES."

Congressional Act No. 18-37 as Public Law No. 18-37: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-80, AS AMENDED BY PUBLIC LAWS NOS. 16-04 AND 17-53, BY AMENDING SECTIONS 1 AND 2 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES."

Congressional Act No. 18-41 as Public Law No. 18-38: "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14 AND 18-31, BY AMENDING SECTIONS 3, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP AND POHNPEI, AND FOR OTHER PURPOSES."

Congressional Act No. 18-36 changes an appropriation for the public project for Pohnpei ED#1 and shifts it to a new line item. For Chuuk, the designated allottee of funds for ED#2 is changed from the Executive Director of Northern Namoneas Social and Economic Development Authority to the Governor of Chuuk.

Congressional Act No. 18-37 changes the amounts of certain public projects and social programs for Chuuk ED #2 and inserts a new *Fishing Project*. The designation of allottee for Chuuk is also changed from the CSCIP to the various authorities.

In Congressional Act No. 18-41, funding for the *Yap Congressional Delegation Citizen Outreach Program* is shifted to the Yap State Copra Subsidy Supplemental.

The Honorable Dohsis Halbert
January 30, 2014
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PRESIDENTIAL COMM. NO. 18-209
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I reviewed all of the above Acts, which share the following common characteristics:

1. There were no public hearings or committee reports.
2. There have been multiple amendments to the original appropriations. The multiple amendments result in confusion as to the true intention of Congress for the public projects and programs, and create difficulties in implementation of the projects and programs, such as tracking the multiple changes.
3. There were changes of recipients and purposes, in most of the Acts, without clear justification or reasoning.

The above Acts are further examples of defective appropriation of public projects and social programs. As I stated in prior transmittals, it would be most helpful if Congress would set a policy limiting subsequent amendments to a maximum of only three per Act in order to avoid the problems as outlined above.

Notwithstanding the defects stated above and in view of my agreement in our meeting with Congress held earlier this week to move forward on the implementation of appropriations for public projects currently passed or being passed by Congress, I remind Congress that I will be forced to hold up implementation of subsequent public projects, if they fail to have enough specificity, fail to state the purpose, etc., or violate the Udot case, in order to obtain further clarification and direction from Congress to assure effective and efficient implementation. Therefore, I continue to urge Congress to make the necessary changes to improve the appropriation process that is impacting effective implementation of public projects, including the holding of pre-passage consultations with constituents, holding public hearings, and providing committee reports.

With warm personal regards, I remain,

Sincerely,


Manny Mori
President

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



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Chief Clerk

PRESIDENTIAL COMM. NO. 18-209
FSM CONGRESS

January 21, 2014

His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941



Dear President Mori:

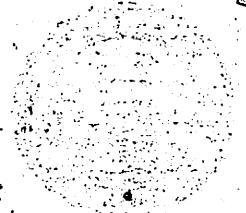
I have the honor to transmit herewith Congressional Act No. 18-37, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-80, AS AMENDED BY PUBLIC LAWS NOS. 16-04 AND 17-53, BY AMENDING SECTIONS 1 AND 2 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Third Regular Session, 2014, 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

OFFICE OF THE ATTORNEY GENERAL
STATE OF NEW YORK
ALBANY, N.Y.
JANUARY 10, 1912



ALL EMPLOYEES OF THE STATE

TO THE ATTORNEY GENERAL

DEAR SIR:

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the State of New York. I am sorry to hear that you are unable to attend to the matter at this time. I will be glad to hear from you again when you are able to do so. I am, Sir, very respectfully,
Yours truly,
J. B. CROSSLAND

J. B. CROSSLAND
ATTORNEY GENERAL
STATE OF NEW YORK

cc - Mr. [illegible]



PUBLIC LAW No. 18-37

EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
THIRD REGULAR SESSION
JANUARY 10 - 29, 2014

PRESIDENTIAL COMM. NO. 18-209
FSM CONGRESS

An Act

TO FURTHER AMEND PUBLIC LAW NO. 15-80, AS AMENDED BY PUBLIC LAWS NOS. 16-04 AND 17-53, BY AMENDING SECTIONS 1 AND 2 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN FOR PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: VICTOR GOULAND

DATE: JANUARY 9, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN - JANUARY 15, 2014

FIRST READING: JANUARY 15, 2014

SECOND READING: JANUARY 17, 2014

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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Office of the Speaker


PRESIDENTIAL COMM. NO. 18-209
FSM CONGRESS

ACT NO. 18-37

(CONGRESSIONAL BILL NO. 18-112, C.D.1)

We hereby certify that on January 17 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Third Regular Session, 2014, 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.


Dohsis Halbert
Speaker
Congress of the
Federated States of Micronesia


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

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

THIRD REGULAR SESSION, 2014

CONGRESSIONAL BILL NO. 18-112, C.D.1

PUBLIC LAW No. 18-37

AN ACT

To further amend Public Law No. 15-80, as amended by Public Laws Nos. 16-04 and 17-53, by amending sections 1 and 2 thereof, for the purpose of changing the use and allottee of certain funds previously appropriated therein for public projects and social programs in the State of Chuuk, 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. 15-80, as amended
2 by Public Laws Nos. 16-04 and 17-53, is hereby further amended
3 to read as follows:

4 "Section 1. The sum of \$540,000 is hereby
5 appropriated from the General Fund of the Federated
6 States of Micronesia for the fiscal year ending
7 September 30, 2009, for the purpose of funding the T-
8 3 Program Operation, public projects and social
9 programs in the States of Chuuk, Yap, Pohnpei and
10 Kosrae, and for other purposes. The sum appropriated
11 herein shall be apportioned as follows:

12 (1) State of Kosrae \$ 70,000

13 (a) September 8, 2009 liberation
14 activities

15 (i) Lelu Municipality 1,300

16 (ii) Tafunsak Municipality 1,200

17 (iii) Malem Municipality 800

18 (iv) Utwa Municipality 700

PUBLIC LAW No. 18-37

1	(b) Kosrae Public Auditor contractual	
2	services	\$ 5,000
3	(c) Senior citizens building renovation	
4	(i) Lelu senior citizens	5,000
5	(ii) Tafunsak senior citizens ..	5,000
6	(iii) Malem senior citizens	5,000
7	(iv) Utwa senior citizens	5,000
8	(d) Aquaculture exportation costs ..	6,000
9	(e) Kosrae Senior Citizens subsidies	
10	(i) Lelu senior citizens	1,000
11	(ii) Tafunsak senior citizens ..	1,000
12	(iii) Malem senior citizens	1,000
13	(iv) Utwa senior citizens	1,000
14	(v) Walung senior citizens	1,000
15	(f) Kosrae High School	
16	lunch program	18,000
17	(g) Kosrae Women Association	
18	(i) Lelu Women Association	1,000
19	(ii) Tafunsak Women Association	1,000
20	(iii) Malem Women Association ...	1,000
21	(iv) Utwa Women Association	1,000
22	(v) Walung Women Association ..	1,000
23	(h) Medical referrals for	
24	non-insured and non-employed Kosraeans,	
25	PROVIDED THAT reprogramming of this funding	

PUBLIC LAW No. 18-37

1	is not allowed	\$ 5,000
2	(i) Equipment for Kosrae State	
3	Broadcast Station	2,000
4	(2) State of Yap	70,000
5	(a) COM-FSM Yapese students traveling	
6	expenses for hospitality training	10,000
7	(b) Falalop, Ulithi community projects	
8	(water catchment, men's house, community center,	
9	renovation/repair & freight costs)	13,000
10	(c) PHI THETA KAPPA honor society	
11	(i) Registration fees	1,745
12	(ii) Airfare	
13	(Pohnpei to Honolulu, Hawaii)	5,255
14	(d) Scholarship program for full time	
15	Yapese students in post secondary education	
16	who maintain a 3.5 GPA	40,000
17	(3) State of Pohnpei	140,000
18	(a) Student's needs and financial ..	
19	assistance	10,000
20	(b) Election District No. 1	
21	(i) Pakin transportation needs	5,000
22	(ii) Project Management	26,000
23	(iii) Matching for Roie retaining	
24	wall	4,000
25	(c) Election District No. 2	

PUBLIC LAW No. 18-37

1	(i) Madolenihmw Municipal	
2	Government management training	\$ 5,000
3	(ii) Edienleng water system	8,000
4	(iii) Kitti Fisherman's wharf ...	-0-
5	(iv) Election District No. 2	
6	secondary road improvement	12,000
7	(v) Funding for participants	
8	to PIPPA & PEC conferences	10,000
9	(vi) Water Delivery Services ...	25,000
10	(d) Election District No. 3	
11	(i) Nett School Sports	
12	complex matching	12,000
13	(ii) U Municipal government	
14	subsidy	7,000
15	(iii) Pingelap Municipal	
16	government subsidy	5,000
17	(iv) Mwoakiloa Municipal	
18	government subsidy	5,000
19	(v) ED #3 operation	2,000
20	(vi) Youth activities and	
21	musical instruments	4,000
22	(4) State of Chuuk	260,000
23	(a) Chuuk At Large	
24	(i) Public Facilities repairs,	
25	construction and improvement projects	7,000

PUBLIC LAW No. 18-37

1	(ii) Low-income housing subsidy \$	7,000
2	(iii) Multipurpose building repair	
3	and renovation	3,000
4	(iv) At-Large operation	5,000
5	(v) Moch Municipal	
6	Government subsidy	1,500
7	(vi) Satowan Municipal	
8	Government subsidy	1,500
9	(vii) Fishing projects	
10	(gear and equipment purchase)	20,000
11	(b) Election District No. 1	
12	(i) Leadership Travel	12,000
13	(ii) Student's Financial	
14	Assistance	3,000
15	(iii) Community Centers Renovation	10,000
16	(iv) Youth Activities &	
17	musical instruments	4,000
18	(v) Election District No. 1	
19	contractual services & operation	6,000
20	(c) Election District No. 2	
21	(i) Sewing project	6,500
22	(ii) Northern Namoneas	
23	Development Authority (NDDA) Operation	10,000
24	(iii) Leadership travel/	
25	patient referral	7,216

PUBLIC LAW No. 18-37

1	(iv) Fishing project	\$ 1,284
2	(d) Election District No. 3	
3	(i) ED #3 Municipalities	
4	subsidies	3,705
5	(ii) Fishing projects	
6	a) Nukanap Fishing Group	3,100
7	b) Nekupach Fishing Group	2,939
8	c) Fanemouch Fishing Group	3,100
9	d) Nemon Fishing Group ..	3,100
10	e) Sewing Project	6,456
11	(iii) ED #3 Operation	12,600
12	(e) Election District No. 4	
13	(i) Election District No. 4	
14	Operation	15,000
15	(ii) Tolensom Municipal subsidy	10,000
16	(iii) Wolep Road improvement	
17	& beautification	-0-
18	(iv) Low-income housing subsidy	5,000
19	(v) Youth activities & program	5,000
20	(f) Election District No. 5	
21	(i) POL & Charter	8,000
22	(ii) Transport of remains and	
23	other related costs	8,000
24	(iii) Election District No. 5	
25	Operation	5,000

PUBLIC LAW No. 18-37

1	(iv) Leadership travel	\$ 5,000
2	(v) Student's financial assistance	3,000
3	(vi) Fisheries training	6,000
4	(5) T-3 Program Operation	50,000"

5 Section 2. Section 2 of Public Law No. 15-80, as amended by
 6 Public Law No. 16-04, is hereby further amended to read as
 7 follows:

8 "Section 2. Allotment and management of funds and
 9 lapse date.

10 (1) General Provisions.

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

15 (b) The allottees shall be responsible for
 16 ensuring that these funds, or so much thereof as may
 17 be necessary, are used solely for the purpose
 18 specified in this act, and that no obligations are
 19 incurred in excess of the sum appropriated.

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

22 (a) Subsection 1 of Section 1 - the allottee
 23 of these funds shall be the President of the
 24 Federated States of Micronesia or his designee;

25 (b) Subsection 2 of Section 1 - the allottee

PUBLIC LAW No. 18-37

1 of these funds shall be the Governor of Yap State or
2 his designee, PROVIDED THAT the allottee of funds
3 under subsections 1(2)(a), 1(2)(c)(i) and 1(2)(c)(ii)
4 of this Act shall be the President of the College of
5 Micronesia – FSM;

6 (c) Subsection 3 of Section 1 – the allottee
7 of these funds shall be the President of the
8 Federated States of Micronesia or his designee;

9 (d) Subsection 4(a) and 4(c) of Section 1
10 shall be the Governor of Chuuk State or his designee;
11 Subsection 4(b) of Section 1 shall be the Mortlock
12 Islands Development Authority; Subsection 4(d) of
13 Section 1 shall be the Southern Namoneas Development
14 Authority; Subsection 4(e) of Section 1 shall be the
15 Faichuk Development Authority; Subsection 4(f) of
16 Section 1 shall be the Northwest Islands Development
17 Authority;

18 (e) Subsection 5 of Section 1 – the allottee
19 of these funds shall be the President of the
20 Federated States of Micronesia or his designee.

21 (3) Lapse Date. The authority of the allottee to
22 obligate funds appropriated by this act shall lapse
23 on September 30, 2015.”
24
25

