



The President
Palikir, Pohnpei
Federated States of Micronesia

July 15, 2014

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

RECEIVED

JUL 16 2014

FSM Congress
Speakers Office

PRESIDENTIAL COMM. NO. 18-325
FSM CONGRESS

Dear Speaker Halbert:

We are returning to Congress the following Congressional Act which became Public Law 18-70:

Congressional Act No. 18-76, entitled "AN ACT TO APPROPRIATE THE SUM OF \$5,100,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30 2014, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, POHNPEI AND CHUUK, AND FOR OTHER PURPOSES."

In transmitting this Public Law No. 18-70, I wish to reiterate my position that without public hearings held by Congress or committee reports issued by Congress, there is no clear direction to the Executive Branch on how to implement the more than 150 projects listed in the Act, most of which state only the name of the project with nothing else.

As I have stated in writing again and again, I do not oppose public projects. But, in order to implement the projects in good faith, the Executive Branch must have clear direction from Congress on the purpose and scope of the appropriations. I, and all appropriate staff including allottees, will try our very best to implement all projects in good faith. However, in cases where the project name is too general to even understand the intent of Congress, and to implement the project would mean that we are guessing at the intent of Congress, such projects will not be implemented. An example of a problem with implementation is trying to implement a project entitled "food security", without any accompanying explanation. At least three separate individuals gave me three completely different answers as to what "food security" means. My own guess is that "food security" means the distribution of rice, chicken, and any food item. We all may be incorrect as to the intent of Congress because we are all guessing. This highlights my point as to why we need public hearings and committee reports in advance of Congress passing any appropriation bill.

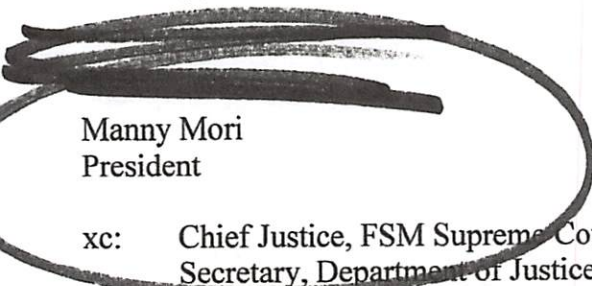
If projects are unable to be implemented as outlined above, Congress will have to revisit these appropriations and provide direction through committee reports or public hearings so that the Executive Branch can then carry out its duties in good faith. Without these tools to implement the projects properly, I cannot allow the Executive Branch to second guess the true intention of Congress. If you recall, we provided you a copy of the revised Project Control Document (PCD) that governs the implementation of the projects. If the PCD cannot be filled out because of missing information, then the process stops.

PRESIDENTIAL COMM. NO. 18-325
FSM CONGRESS

The Honorable Dohsis Halbert
July 15, 2014
Page 2

I will be forced to hold up implementation of public projects if they fail to have enough specificity, fail to state the purpose, etc., or violate the Udot case. 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.

Sincerely,



Manny Mori
President

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

PRESIDENTIAL COMM. NO. 18-325
FSM CONGRESS

July 11, 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. 18-76, "AN ACT TO APPROPRIATE THE SUM OF \$5,100,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, POHNPEI AND CHUUK, AND FOR OTHER PURPOSES.", which was repassed on July 10, by the Eighteenth Congress of the Federated States of Micronesia, Fourth Special Session, 2014, by a three-fourths 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. 18-325
FSM CONGRESS

EIGHTEENTH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FOURTH SPECIAL SESSION
JULY 7 - 12, 2014

PUBLIC LAW No. 18-70

An Act

TO APPROPRIATE THE SUM OF \$5,100,000 FROM THE GENERAL FUND OF THE FEDERATED STATES OF MICRONESIA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014, FOR THE PURPOSE OF FUNDING PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATES OF YAP, KOSRAE, POHNPEI AND CHUUK, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR TONY H. OTTO

DATE: MAY 18, 2014

REPASSED: JULY 10, 2014

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. 18-325
FSM CONGRESS

ACT NO. 18-76

(CONGRESSIONAL BILL NO. 18-170, C.D.1)

I hereby certify that on July 10 the foregoing act was repassed by the Eighteenth Congress of the Federated States of Micronesia, Fourth Special Session, 2014, by a three-fourths vote of all the State delegations as required under article IX, section 2(q), of the Constitution of the Federated States of Micronesia.


Dohsis Halbert
Speaker
Congress of the
Federated States of Micronesia

EIGHTEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 2014

CONGRESSIONAL BILL NO. 18-170, C.D.1

PUBLIC LAW No. 18-70

AN ACT

To appropriate the sum of \$5,100,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2014, for the purpose of funding public projects and social programs in the States of Yap, Kosrae, Pohnpei and Chuuk, and for other purposes.

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

1 Section 1. The sum of \$5,100,000, or so much thereof as may
2 be necessary, is hereby appropriated from the General Fund of the
3 Federated States of Micronesia for the fiscal year ending
4 September 30, 2014, for the purpose funding public projects and
5 social programs in the States of Yap, Kosrae, Pohnpei and Chuuk.
6 The funds appropriated under this section shall be apportioned as
7 follows:

8 Section 2. Of the sum of \$5,100,000 appropriated by this
9 act, \$750,000 is apportioned for public projects and social
10 programs in the State of Yap.

11	State of Yap	\$ 750,000
12	(a) Outer Islands Marine	
13	Management workshop	20,000
14	(b) Yap Youth 2014 Summer Program	
15	activities matching	25,000
16	(c) Asor typhoon shelter	
17	supplemental funding	50,000
18	(d) Yap field trip services,	

PUBLIC LAW No. 18-70

1	POL funding	\$ 100,000
2	(e) Falalop, Woleai water	
3	improvement projects	80,000
4	(f) Grants and subsidies - Yap	
5	medical referral revolving fund for uninsured	
6	applicants supplemental	100,000
7	(g) Purchase of Yap transportation boat	300,000
8	(h) Yap Congressional Delegation	
9	Constituents Outreach programs	75,000
10	Section 3. Of the sum of \$5,100,000 appropriated	
11	by this act, \$750,000 is apportioned for public projects	
12	and social programs in the State of Kosrae.	
13	State of Kosrae	750,000
14	(a) BA Program	20,000
15	(b) High School Lunch Program	55,000
16	(c) We Care Referral Program	20,000
17	(d) Scholarship (University of	
18	Hawaii Law School)	20,000
19	(e) Wiyac access road improvement...	5,000
20	(f) Malem Youth group	10,000
21	(g) Pilyuul Youth Center renovation.	5,000
22	(h) POL for implementation of	
23	road projects	5,000
24	(i) Kosrae High School Dining	
25	area renovation	30,000

PUBLIC LAW No. 18-70

1	(j) Kosrae Micro Finance subsidy...\$	10,000
2	(k) Tafweyat Farm road.....	10,000
3	(l) Kosrae outreach and advocacy program	40,000
4	(m) Purchase of Senior citizens bus and	
5	associated cost (spare tires, freight, POL)	60,000
6	(n) Vehicle purchase for youth	
7	group in Malem	5,000
8	(o) Lelu Town Government subsidy....	20,000
9	(p) Malem municipal government subsidy	10,000
10	(q) Utwe municipal government subsidy	10,000
11	(r) Tafunsak municipal government subsidy	10,000
12	(s) Lelu municipal government subsidy	10,000
13	(t) COM-FSM students outstanding debts	20,000
14	(u) Xavier High School (tuition costs for	
15	Kosraean Students)	10,000
16	(v) Mediation Program.....	10,000
17	(w) Kosrae Junior Tennis.....	10,000
18	(x) Contractual services for	
19	security guards	10,000
20	(y) Kosrae health services/programs:	
21	(i) Pharmaceuticals.....	10,000
22	(ii) Dental equipment maintenance	10,000
23	(iii) Primary health care.....	5,000
24	(z) Students' financial assistance:	
25	(i) University of Guam.....	5,000

PUBLIC LAW No. 18-70

1	(ii) University of Hawaii at	
2	Hilo campus	\$ 5,000
3	(iii) University of Hawaii	
4	at Manoa campus	5,000
5	(aa) Youths activities/programs	10,000
6	(ab) Department of Resources and Economic Affairs	
7	(i) Survey and Mapping	40,000
8	(ii) Access road/drainage	20,000
9	(ac) Malem farm road	20,000
10	(ad) Utwe-Walung circumferential road	30,000
11	(ae) Finfokoa Malem water extension..	35,000
12	(af) Kosrae Port Authority subsidy...	30,000
13	(ag) Kosrae Benevolent Association...	5,000
14	(ah) Finsrem, Utawa access road	5,000
15	(ai) Grants and subsidies for Kosrae	
16	(i) IMF local matching	70,000
17	(ii) Private sector development.	25,000
18	(aj) Scholarship - COM-FSM trail	
19	counselor program	5,000"
20	Section 4. Of the sum of \$5,100,000 appropriated by this	
21	act, \$1,450,000 is apportioned for public projects and social	
22	programs in the State of Pohnpei.	
23	State of Pohnpei	1,450,000
24	(1) At-Large	400,000
25	(a) Hosting cost of Micro Games	260,000

PUBLIC LAW No. 18-70

1	(b) PROVIDED THAT funds appropriated	
2	herein not to be expended until the breakdown	
3	is available	\$ 140,000
4	(2) Election District No. 1.....	350,000
5	(a) Tamara loop.....	50,000
6	(b) Vehicle purchase.....	15,000
7	(c) Kapinga bridge.....	40,000
8	(d) Nukuoro farming rehabilitation..	20,000
9	(e) Election District No. 1 subsidy.	200,000
10	(f) Sapwuafik water system	25,000
11	(3) Election District No. 2.....	350,000
12	(a) Nintok (Rehntu) Road relocation.	30,000
13	(b) Nanmwoat (Epwitek) road upgrade.	5,000
14	(c) Salapwuk School road paving.....	50,000
15	(d) Areu Pah road paving.....	25,000
16	(e) Nan Rohi (Pehleng) Road upgrade.	5,000
17	(f) Koapinmwoamwi road paving.....	25,000
18	(g) Nan Madol access road upgrade...	10,000
19	(h) Pahnsapw (Section 4) road upgrade	10,000
20	(i) Women activities/programs.....	7,500
21	(j) Youth activities/programs.....	7,500
22	(k) Agriculture fair.....	10,000
23	(l) Purchase of coral materials.....	7,500
24	(m) Paies bridge (Kitti).....	10,000
25	(n) Woau Kutoar road.....	10,000

PUBLIC LAW No. 18-70

1	(o) Soakoaroan (Pehleng) road upgrade \$	10,000
2	(p) Lohd road paving.....	20,000
3	(q) Soamwoai (Section 1) water system	10,000
4	(r) Dioan (Kitti) water system.....	5,000
5	(s) Purchase of pvc pipes.....	10,000
6	(t) Water well drilling.....	10,000
7	(u) Mwudokalap power line.....	10,000
8	(v) Alekot power supplement	7,500
9	(w) Nan Pwoaren Ais (Madolenihmw)	
10	road upgrade	10,000
11	(x) Students' financial assistance .	10,000
12	(z) Administrative support	
13	services (ED#2)	35,000
14	(4) Election District No. 3.....	350,000
15	(a) Youth Sports Facilities	
16	renovation, sports Activities &	
17	equipment/supplies	30,000
18	(b) School supplies.....	30,000
19	(c) Students support fund.....	10,000
20	(d) Medical referral support.....	15,000
21	(e) Senior Citizen support	5,000
22	(f) Mwoakilloa Municipal	
23	government subsidy	15,000
24	(g) ED#3 Community Water Projects...	25,000
25	(h) Renewal Energy/Solar equipment	

PUBLIC LAW No. 18-70

1	supplies from Remote communities	\$ 20,000
2	(i) ED#3 office subsidy.....	30,000
3	(j) ED#3 road pavement.....	55,000
4	(k) Parem school office.....	20,000
5	(l) Pingelap Municipal government subsidy	15,000
6	(m) Nett Municipal government subsidy	15,000
7	(n) U Municipal government subsidy..	15,000
8	(o) Road maintenance & beautification	50,000"
9	Section 5. Of the sum of \$5,100,000 appropriated by	
10	this act, \$2,150,000 is apportioned for public projects	
11	and social programs in the State of Chuuk.	
12	State of Chuuk	2,150,000
13	(1) At-Large	400,000
14	(a) Community infrastructure &	
15	Housing renovation	80,000
16	(b) Contributions to State, Municipal and	
17	Community Activities/events/Programs	80,000
18	(c) Tonoas Goodwill Games 2014.....	10,000
19	(d) Municipal offices	
20	construction/renovation	30,000
21	(e) Women home economic projects....	20,000
22	(f) POL/Freight/Charters	20,000
23	(g) Allottee's administrative	
24	support services	25,000
25	(h) Fishing projects	45,000

PUBLIC LAW No. 18-70

1	(i) Leadership/Patients/Students	
2	Travel & COAP	\$ 38,000
3	(j) Youth activities/programs/equipment	20,000
4	(k) Students' financial assistance...	20,000
5	(l) Mortlock Goodwill Games 2014	5,000
6	(m) 2014 Weno Goodwill games obligations	7,000
7	(2) Election District No. 1	350,000
8	(a) Lien Pwikial, Lien Pwakii,	
9	Nomeisepi & Kilo I subsidy	40,000
10	(b) Cooperative Associations,	
11	Non-governmental organizations	
12	contributions & subsidy	45,000
13	(c) Mortlock leadership subsidy	25,000
14	(d) Home, housing & multipurpose	
15	building improvement and renovation	100,000
16	(e) Students financial assistance...	20,000
17	(f) Food security, relief and poverty	
18	alleviation project programs	50,000
19	(g) Mortlocks Goodwill games and	
20	Mortlocks substate center projects	25,000
21	(h) MIDA	25,000
22	(i) Repatriation of remains/	
23	medical referral	10,000
24	(j) Mortlocks mayors association	10,000
25	(3) Election District No. 2	350,000

PUBLIC LAW No. 18-70

1	(a) Housing rehabilitation.....\$	40,000
2	(b) Fishing projects.....	30,000
3	(c) Students' financial assistance..	20,000
4	(d) Food Security.....	30,000
5	(e) Administrative cost/office rental	
6	for Election District No. 2	20,000
7	(f) Office of the Governor subsidy..	10,000
8	(g) Municipal subsidy.....	34,000
9	(h) Public markets renovation.....	20,000
10	(i) Human repatriation.....	10,000
11	(j) Water system projects.....	5,000
12	(k) Road improvement/heavy	
13	equipment purchase	70,000
14	(l) Land transportation need.....	30,000
15	(m) Weno election subsidy.....	7,000
16	(n) Chuuk women council.....	5,000
17	(o) Leadership/patients/students	
18	travel need	19,000
19	(4) Election District No. 3.....	350,000
20	(a) Food Security.....	150,000
21	(b) Fishing project.....	100,000
22	(c) Municipal subsidy.....	50,000
23	(d) Leadership travel (Traditional,	
24	Local and State and National governments) ..	30,000
25	(e) Human repatriation.....	10,000

PUBLIC LAW No. 18-70

1	(f) Student financial assistance...\$	10,000
2	(5) Election District No. 4.....	350,000
3	(a) Fishing project subsidy.....	60,000
4	(b) Low Income housing subsidy.....	40,000
5	(c) Humanitarian assistance subsidy.	50,000
6	(d) Youth activities and programs subsidy	30,000
7	(e) Medical referral and repatriation	
8	of human remains subsidy	20,000
9	(f) Administrative cost for Faichuk	
10	Development Authority	20,000
11	(g) Fishing markets subsidy.....	10,000
12	(h) Sewing Project subsidy.....	20,000
13	(i) Municipal governments' subsidy..	80,000
14	(j) Students financial assistance...	20,000
15	(6) Election District No. 5.....	350,000
16	(a) Fishing equipment and/or supplies	171,000
17	(b) Computer labs for two high	
18	schools (Pattiw & Halls Islands)	60,000
19	(c) Houk ordination.....	10,000
20	(d) Post Secondary financial grants	
21	for school year 2015, Provided that students	
22	GPA is not less than 2.5	20,000
23	(e) Contractual Services for Hall	
24	Islands Junior High School (one cook and four	
25	housemothers/fathers)	15,000

1	(f) Polowat youth activities.....\$	5,000
2	(g) Houk youth activities.....	5,000
3	(h) Tamatam women store.....	5,000
4	(i) Prior obligation for boat charters	13,000
5	(j) Seedling projects for farmers...	5,000
6	(k) Water tanks.....	20,000
7	(l) Northwest Islands Development	
8	Authority operation, database and internet setup	10,000
9	(m) Contractual service for grant writer	3,000
10	(n) Northwest Island Development	
11	Authority expenses	8,000"

12 Section 6. Allotment and management of funds and lapse date.

13 All funds appropriated by this act shall be allotted, managed,
14 administered and accounted for in accordance with applicable laws,
15 including, but not limited to, the Financial Management Act of
16 1979. The allottee shall be responsible for ensuring that these
17 funds, or so much thereof as may be necessary, are used solely for
18 the purpose specified in this act, and that no obligations are
19 incurred in excess of the sum appropriated. The allottee of the
20 funds appropriated under section 2 of this act shall be the
21 Governor of Yap State. The allottee of funds appropriated under
22 sections 3 and 4 of this act shall be the President of the
23 Federated States of Micronesia or his designee EXCEPT THAT the
24 funds appropriated under subsections a, b, c, d, e, f, g, h, i, j,
25 k, l, m, n, o, s, t, u, v, w, x and ag, ah and aj of this act

1 shall be the Mayor of Lelu Town Government or his designee. The
2 allottee of funds appropriated under subsections 5(1) and 5(3) of
3 this act shall be the Governor of Chuuk State or his designee.
4 The allottee of funds appropriated under subsection 5(2) of this
5 act shall be the Mortlock Islands Development Authority. The
6 allottee of funds appropriated under subsection 5(4) of this act
7 shall be the Southern Namoneas Development Authority. The
8 allottee of funds appropriated under subsection 5(5) of this act
9 shall be the Faichuk Development Authority. The allottee of funds
10 appropriated under subsection 5(6) of this act shall be the
11 General Manager of the Northwest Island Development Authority.
12 The authority of the allottee to obligate funds appropriated by
13 this act shall lapse on September 30, 2015.

14 Section 7. This act shall become law upon approval by the
15 President of the Federated States of Micronesia or upon its
16 becoming law without such approval.

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20

_____, 2014

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24 *Override*25 *7-10-14*

Manny Mori
President
Federated States of Micronesia