



*The President*  
Palikir, Pohnpei  
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 18-333  
FSM CONGRESS

August 18, 2014

The Honorable Dohsis Halbert  
Speaker  
Eighteenth Congress of the Federated States of Micronesia  
Palikir, Pohnpei FM 96941

Dear Speaker Halbert:

I am returning the following Congressional Acts without signature:

Public Law No. 18-77, Congressional Act No. 18-78, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-58, AS AMENDED BY PUBLIC LAWS NOS. 16-64, 16-72, 17-08, 17-11, 17-20, 17-35 AND 17-41, BY AMENDING SECTION 4 THEREOF, TO MODIFY THE USE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN THE STATE OF POHNPEI, AND FOR OTHER PURPOSES."

Public Law No. 18-78, Congressional Act No. 18-79, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-35, AS AMENDED BY PUBLIC LAWS NOS. 18-49, 18-61 AND 18-63, BY AMENDING SECTIONS 4 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES."

Public Law No. 18-79, Congressional Act No. 18-80, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-62, AS AMENDED BY PUBLIC LAWS NOS. 16-71, 17-05, 17-18, 17-29, 17-47, 18-23, 18-33 AND 18-50, BY AMENDING SECTION 6 THEREOF, TO CHANGE THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-80, Congressional Act No. 18-81, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-18, AS AMENDED BY PUBLIC LAWS NOS. 16-24, 16-32, 16-39, 16-45, 16-54, 16-67, 17-04, 17-14, 17-26, 17-39, 17-65, 18-27 AND 18-47, BY AMENDING SECTION 2 THEREOF, TO CHANGE ALLOTTEE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."



The Honorable Dohsis Halbert  
August 18, 2014  
Page 2

Public Law No. 18-81, Congressional Act No. 18-82, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-11, AS AMENDED BY PUBLIC LAW NO 18-44. BY AMENDING SECTION 2 THEREOF, TO CHANGE THE LAPSE DATE OF FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-82, Congressional Act No. 18-83, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-05, AS AMENDED BY PUBLIC LAWS NOS. 18-07, 18-14, 18-31, 18-38 AND 18-72. BY AMENDING SECTIONS 2, 4 AND 6 THEREOF, FOR THE PURPOSE OF CHANGING THE USE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-83, Congressional Act No. 18-84, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-59, AS AMENDED BY PUBLIC LAWS NOS. 17-63, 17-66, 17-70, 17-77, 17-86, 18-21, 18-29 AND 18-64. BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-84, Congressional Act No. 18-85, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-36, AS AMENDED BY PUBLIC LAWS NOS. 17-48, 17-78, 17-87, 18-36, AND 18-65, BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO OFFER A TECHNICAL AMENDMENT, AND FOR OTHER PURPOSES."

Public Law No. 18-85, Congressional Act No. 18-86, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 15-32, AS AMENDED BY PUBLIC LAWS NOS. 15-36, 15-44, 15-57, 15-63, 15-72, 15-78, 16-03, 16-11, 16-33, 16-46, 17-12, 17-21, 17-33, 17-40, 18-17 AND 18-67. BY AMENDING SECTION 2 THEREOF, FOR THE PURPOSE OF CHANGING THE ALLOTTEE AND LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

The Honorable Dohsis Halbert  
August 18, 2014  
Page 3

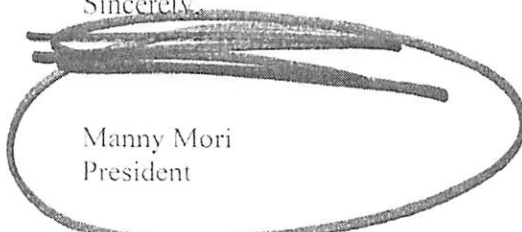
Public Law No. 18-86. Congressional Act No. 18-87. "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 16-49, AS AMENDED BY PUBLIC LAWS NOS. 16-68, 16-76, 17-06, 17-10, 17-23, 17-30, 17-32, 17-45, 17-82, 17-85, 18-28, 18-45 AND 18-59, BY AMENDING SECTION 6 THEREOF, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, AND FOR OTHER PURPOSES."

Public Law No. 18-87. Congressional Act No. 18-89. "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 17-68, AS AMENDED BY PUBLIC LAWS NOS. 17-71, 17-81, 17-84, 17-89, 17-90, 18-03, 18-10, 18-13, 18-32, 18-46 AND 18-58, BY AMENDING SECTION 6 THEREIN, FOR THE PURPOSE OF CHANGING THE LAPSE DATE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS IN EACH OF THE STATES AND FOR OTHER PURPOSES."

I reviewed the above Acts, designed to alter the funds and change the allottees for various public projects. The numerous amendments, which fail to provide clear direction on the intention of Congress behind altering funds and changing allottees, make it impossible for the Executive branch to implement public projects without involvement from Congress.

The involvement of some members of Congress in the implementation of public projects violates the Constitution, as confirmed by the Udot case. I have previously shared this concern with Congress and once again bring this problem to your attention. Let's resolve this matter amicably and avoid going to court to seek further clarifications.

Sincerely,



Manny Mori  
President

Enclosure.

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

**Office of the President, P.O. Box 1364, Kolonia, Pohnpei FM 96941**





CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3  
Palikir, Sokehs  
Pohnpei State, FM 96941  
Tel: (691) 320-2324 / 2338  
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*Office of the Chief Clerk*

July 15, 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. 18-79, "AN ACT TO FURTHER AMEND PUBLIC LAW NO. 18-35, AS AMENDED BY PUBLIC LAWS NOS. 18-49, 18-61 AND 18-63, BY AMENDING SECTIONS 4 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES.", which was passed by the Eighteenth Congress of the Federated States of Micronesia, Fourth Special Session, 2014, 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





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

PUBLIC LAW No. 18- 78

## An Act

TO FURTHER AMEND PUBLIC LAW NO. 18-35, AS AMENDED BY PUBLIC LAWS NOS. 18-49, 18-61 AND 18-63, BY AMENDING SECTIONS 4 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF CERTAIN FUNDS PREVIOUSLY APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE STATE OF POHNPEI, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: PETER M. CHRISTIAN

DATE: JULY 6, 2014

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – JULY 8, 2014

FIRST READING: JULY 9, 2014

SECOND READING: 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





CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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*Office of the Speaker*

ACT NO. 18-79

(CONGRESSIONAL BILL NO. 18-194)

We hereby certify that on July 10 the foregoing act passed Second and Final Reading of the Eighteenth Congress of the Federated States of Micronesia, Fourth Special 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

FOURTH SPECIAL SESSION, 2014

CONGRESSIONAL BILL NO. 18-194

**PUBLIC LAW No. 18-78**

AN ACT

To further amend Public Law No. 18-35, as amended by Public Laws Nos. 18-49, 18-61 and 18-63, by amending sections 4 and 6 thereof, to change the use and allottee of certain funds previously appropriated therein, to fund public projects and social programs for the State of Pohnpei, and for other purposes.

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

1       Section 1. Section 4 of Public Law No. 18-35, as amended by  
2 Public Laws Nos. 18-49, 18-61 and 18-63, is hereby further amended  
3 to read as follows:

4           "Section 4. Of the sum of \$4,900,000 appropriated by  
5 this act, \$1,400,000 is apportioned for public  
6 projects and social programs in the State of Pohnpei.

7       State of Pohnpei .....\$     1,400,000

8           (1) At-Large .....       350,000

9               (a) Construction and improvement of  
10       Sports facilities Improvement in Kitti (survey  
11       cost, land clearance, equipment rental,  
12       material purchase, labor) .....       75,000

13               (b) Construction and improvement of sports  
14       facility in Senpehn, Madolenihmw (Equipment rental,  
15       material purchase, lighting fixture purchase,  
16       electrical products, labor cost) .....       82,000

17               (i) Purchase of construction  
18       equipment for Pohnpei Transportation

~~PUBLIC LAW No. 18-78~~

1	Authority (PTA).....\$	15,000
2	(c) Travel by airplane for Pohnpei	
3	(for field lighting expert/consultant) ....	16,000
4	(d) Water system improvement (material,	
5	equipment purchase, labor) .....	42,000
6	(e) Community centers improvement	
7	(Health and sanitary improvement, access road	
8	improvement) .....	20,000
9	(f) Crop development project grants	
10	(seedling purchase and cultivation, equipment,	
11	tools purchase, equipment rental & labor, produce	
12	processing equipment, travel of Cargo expert	
13	to Pohnpei) .....	50,000
14	(g) Street lights installation in Kolonia	50,000
15	(2) Election District No. 1.....	350,000
16	(a) Road improvement.....	200,000
17	(b) Transportation Needs.....	20,000
18	(c) School Needs.....	20,000
19	(d) Solar lights.....	50,000
20	Leadership travel .....	10,000
21	(e) RSP Center Construction.....	30,000
22	(f) Election District No. 1 Need	
23	Assessment and Monitoring .....	15,000
24	(g) Nukuoro Constitutional Convention	5,000
25	(3) Election District No. 2.....	350,000



PUBLIC LAW No. 18-78

1	(a) Salapuk school road paving.....\$	50,000
2	(b) Wone school road paving.....	50,000
3	(c) Diadi (Madol) water system.....	5,000
4	(d) Diadi (Kitti) water system.....	10,000
5	(e) Nanpahalp (Madol) road paving...	30,000
6	(f) Speaker's office, Isokohnedi,	
7	administrative support .....	5,000
8	(g) Kitti track and field facility..	25,000
9	(h) Water well drilling.....	5,000
10	(i) Sapwalapw road upgrade.....	15,000
11	(j) Enipen powe road upgrade.....	15,000
12	(k) Power line extension.....	10,000
13	(l) Mwoakot (Kitti) road upgrade....	15,000
14	(m) Metipw/Dolapwal road upgrade....	10,000
15	(n) Dioan road upgrade.....	15,000
16	(o) Youth and Sports.....	7,500
17	(p) Sports equipment.....	7,500
18	(q) Agriculture fair.....	5,000
19	(r) Students financial assistance...	10,000
20	(s) Patients referral assistance....	5,000
21	(t) Purchase of Coral material.....	7,500
22	(u) Purchase of PVC pipes and fittings	7,500
23	(v) Administrative support services	
24	(Election District No. 2) .....	5,000
25	(w) Nanmangil road construction.....	20,000

PUBLIC LAW NO. 18-78

1	(x) Kepine water system upgrade.....\$	10,000
2	(y) Luhkenmoanlap's office, Kitti	
3	municipal government .....	5,000
4	(4) Election District No. 3.....	350,000
5	(a) Youth Sports Facilities renovation,	
6	sports activities & equipment/supplies .....	30,000
7	(b) School supplies.....	10,000
8	(c) Student support fun.....	10,000
9	(d) Medical referral support.....	15,000
10	(e) Nan-U pier repairs/improvement..	25,000
11	(f) Senior Citizen support.....	5,000
12	(g) Road Cleanup project/equipment..	45,000
13	(h) Road speed pumps/signs.....	35,000
14	(i) Mwoakilloa Municipal Gov't Subsidy	25,000
15	(j) Pingelap lumber project.....	10,000
16	(k) Pingelap coconut project.....	10,000
17	(l) Pingelap satellite fee.....	3,000
18	(m) ED#3 Community Water Projects...	25,000
19	(n) Renewal Energy/solar equipment	
20	supplies for remote communities .....	20,000
21	(o) Pohnpei Business Association	
22	subsidy .....	10,000
23	(p) ED#3 Office subsidy.....	30,000
24	(q) ED#3 Office work truck.....	13,000
25	(r) U Municipal Gov't work truck....	13,000

**PUBLIC LAW No. 18-78**

1                   (s) U Municipal Gov't Executive subsidy \$    3,000  
 2                   (t) Pohnpei State Transportation Authority  
 3                   (PTA) work truck .....                   13,000"

4       Section 2. Section 6 of Public Law No. 18-35, as amended by  
 5 Public Law No. 18-49 and 18-61, is hereby further amended to read  
 6 as follows:

7               "Section 6. Allotment and management of funds and lapse  
 8 date. All funds appropriated by this act shall be  
 9 allotted, managed, administered and accounted for in  
 10 accordance with applicable laws, including, but not  
 11 limited to, the Financial Management Act of 1979. The  
 12 allottee shall be responsible for ensuring that these  
 13 funds, or so much thereof as may be necessary, are used  
 14 solely for the purpose specified in this act, and that  
 15 no obligations are incurred in excess of the sum  
 16 appropriated. The allottee of funds appropriated under  
 17 section 4 of this act shall be the President of the  
 18 Federated States of Micronesia or his designee, EXCEPT  
 19 THAT the allottee of funds appropriated under  
 20 subsections 4(1)(b)(i), 4(3)(a), 4(3)(b) and 4(3)(e) of  
 21 section 4 of this act shall be the Pohnpei  
 22 Transportation Authority and the allottee of funds  
 23 appropriated under subsection (4)(3)(y) of section 4 of  
 24 this act shall be the Luhkonmoanlap of Kitti Municipal  
 25 government. The authority of the allottee to obligate



~~PHRITIC LAW No. 18-78~~

1 funds appropriated by this act shall lapse on September  
2 30, 2015."

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

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9 \_\_\_\_\_, 2014

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13 *Law w/out Signature*  
14 *8-18-14*

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Manny Mori  
President  
Federated States of Micronesia

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