A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-68, 2-69, and 3-23, by amending section 212 and by adding a new section 213 establishing the Capital Improvement Program Fund, and for other purposes.

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

1 Section 1. Section 212 of title 55 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-68 and 3-23, is hereby further amended to read as follows:

"Section 212. Enhanced Operations and Maintenance Fund.

(1) There is hereby created within the National Treasury of the Federated States of Micronesia an Enhanced Operations and Maintenance Fund.

(2) All United States grant funds allotted to the President of the Federated States of Micronesia by the Trust Territory Government or United States Government specifically for enhanced operations and maintenance activities in the States shall be deposited in the Enhanced Operations and Maintenance Fund.

(3) United States grant funds for enhanced operations and maintenance include funding for:

(a) The purchase of necessary spare parts, equipment, and various utility maintenance supplies;

(b) The employment of skilled personnel;

(c) The initiation or enhancement of training programs to upgrade technical skills in the public works area; and

(d) Such other activities as may be authorized by appropriation laws of the United States and agreed to by the Federated States of Micronesia Government and the Trust Territory Government for enhanced operations and maintenance.
(4) The President or his designee shall notify Congress of all grant awards and deposits to the Enhanced Operations and Maintenance Fund.

(5) Any portion of Enhanced Operations and Maintenance funding made available to and accessed by the National Government for the administration of the Enhanced Operations and Maintenance Program shall be deposited in the National Reserve Board special fund and may be withdrawn by the President upon the request made by the President of the Congress upon notice from the President of Victoria in accordance with section 210 of this Act.

(6) Funds in the Enhanced Operations and Maintenance Fund shall be administered with full accounting and access made by the President of the Congress in accordance with the provisions of this title requirements of the Vickers Reserve Government and a written plan prepared by the National Government and sent to the Congress and approved by the High Commissioner of the Trust Territory and by the United States for approval by the President shall include such plan to the Congress of the Trust Territory of the Pacific Islands for approval by the President. The President shall include such plan in the Congress of the Trust Territory of the Pacific Islands for approval by the President. The President shall review and approve the plans the scope of such plan shall be consistent with the ability to approve any aspect of
THE FUND THE AMOUNT OF ANY FUND BY THE APPROPRIATE
COMMITTEE SHALL NOT EXCEED FUNDS FROM THE NATIONAL TREASURY
WHERE THEY WERE NOT PREVIOUSLY APPROPRIATED PURSUANT TO LAW.
THE CONGRESS OF THE COMMITTEE SHALL CONSIDER ITS FUND
WITHIN 30 DAYS OF SUBMISSION. ANY FUND SUBMITTED THERE
APPROPRIATION SHALL BE DEEMED APPROVED IF THE CONGRESS OF THE
APPROPRIATE COMMITTEE FAILS TO ACT WITHIN 30 DAYS OF SUBMISSION.
THE PRESIDENT SHALL BE THE DISPOSER OF THE FUNDS AND SHALL
HAVE THE AUTHORITY TO MAKE SUBMISSION TO THE APPROPRIATE

Deposits in the Enhanced Operations and Maintenance Fund
shall be made available to the President of the Federated
States of Micronesia, upon the approval by the High Commissioner
of a written plan, and the President shall suballocate to each
State Governor based on each State's approved plan. This
plan shall set forth all proposed expenditures of such funds
as may be available to each State by the terms of the appro-
priation law of the United States Government or by the actions
of the High Commissioner pursuant to authority set forth in
the appropriation laws of the United States. To the extent
that the terms of the appropriation laws of the United
States do not allot such funds specifically to the States,
and such laws do not so empower the High Commissioner to act
in this regard, such funds shall be allotted by the President
in an equitable manner which reflects the needs of each State
based on plans prepared by the States, subject to the approval
of Congress by resolution. If Congress is not in session, the appropriate committee shall review and approve the manner of distribution of the funds. The Congress or the committee shall complete its review within 30 days of submission. If the Congress or the appropriate committee fails to act within 30 days of submission, the proposed distribution of funds shall be deemed approved. All funds allotted to the Governors of the States shall be administered, managed, and accounted for in accordance with applicable law, including, but not limited to, the Financial Management Act of 1979."

Section 2. Title 55 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-68, 2-69, and 3-23, is hereby further amended by adding a new section 213 to read as follows:

"Section 213. Capital Improvement Program Fund.

(1) There is hereby created within the National Treasury of the Federated States of Micronesia a Capital Improvement Program Fund.

(2) All United States grant funds allotted to the President of the Federated States of Micronesia by the Trust Territory Government or the United States Government specifically for capital improvement projects in the States shall be deposited in the Capital Improvement Program Fund.

(3) United States grant funds for the capital improvement program shall include funding and resources for the development of the basic infrastructure of the Federated States of
Micronesia in conformance with the intent of the original capital improvement program and other funding and resources transferred under any agreement between the National Government of the Federated States of Micronesia and the Government of the Trust Territory of the Pacific Islands, regarding the transfer of capital improvement project funding and administra-

(4) The President or his designee shall notify Congress of all grant awards and deposits to the Capital Improvement Program Fund.

(5) Deposits in the Capital Improvement Program Fund shall be made available to the President who shall suballocate to each State Governor such funds as may be available to each State by the terms of the appropriation laws of the United States Government, or by the actions of the High Commissioner pursuant to authority set forth in the appropriation laws of the United States. To the extent that the terms of the appropriation laws of the United States do not allot such funds specifically to the States, and such laws do not so empower the High Commissioner to act in this regard, such funds shall be allotted by the President in an equitable manner which reflects the needs of each State subject to the approval of Congress by resolution. If Congress is not in session, the appropriate committee shall review and approve the manner of distribution of the funds. The Congress or the
appropriate committee shall complete its review within 30
days of submission. If the Congress or the appropriate
committee fails to act within 30 days of submission, the
proposed distribution of funds shall be deemed approved.
All funds allotted to the Governors of the States shall be
administered, managed, and accounted for in accordance with
applicable law including, but not limited to, the Financial
Management Act of 1979."

Section 2. Sections 213, 214, 215, 216, 217, 218, 219, 220, 221,
222, 223, 224, 225, 226, and 227 of title 55 of the Code of the
Federated States of Micronesia, as amended by Public Laws Nos. 2-68,
2-69, and 3-23, are hereby renumbered 214, 215, 216, 217, 218, 219,
220, 221, 222, 223, 224, 225, 226, 227, and 228 respectively.
Section 3. This act shall become law upon approval by the President
of the Federated States of Micronesia or upon its becoming law without
such approval.

Date: 10/27/83 Introduced by: Elias Thomas