



The President
Palikir, Pohnpei
Federated States of Micronesia

September 28, 2021

The Honorable Wesley W. Simina
Speaker
Twenty-Second Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

PRESIDENTIAL COMM. NO. 22-130
FSM CONGRESS

Dear Speaker Simina:

I am pleased to transmit the following act, which I have signed to become Public Law No. 22-47 :

Congressional Act No. 22-39, entitled: "AN ACT TO FURTHER AMEND SECTION 609A OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAWS NOS. 21-211 AND 21-232, IN ORDER TO EXTEND THE EXPIRATION DATE OF THE TOURISM SECTOR MITIGATION FUND, AND FOR OTHER PURPOSES."

I wish to thank the 22nd FSM Congress for the passage of this act.

Sincerely,

David W. Panuelo
President

xc: Chief Justice, FSM Supreme Court





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3

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PRESIDENTIAL COMM. NO. 22-130
FSM CONGRESS

September 24, 2021

His Excellency David W. Panuelo
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941



Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 22-39, "AN ACT TO FURTHER AMEND SECTION 609A OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC LAWS NOS. 21-211 AND 21-232, IN ORDER TO EXTEND THE EXPIRATION DATE OF THE TOURISM SECTOR MITIGATION FUND, AND FOR OTHER PURPOSES", which was passed by the Twenty-Second Congress of the Federated States of Micronesia, Second Regular Session, 2021, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jessicalynn Reyes".

Jessicalynn Reyes
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 22-130
FSM CONGRESS

TWENTY-SECOND CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
SECOND REGULAR SESSION
SEPTEMBER 13 – OCTOBER 02, 2021

An Act

TO FURTHER AMEND SECTION 609A OF TITLE 55 OF THE CODE OF THE
FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED BY PUBLIC
LAWS NOS. 21-211 AND 21-232, IN ORDER TO EXTEND THE EXPIRATION DATE OF
THE TOURISM SECTOR MITIGATION FUND, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: ISAAC V. FIGIR

DATE: SEPTEMBER 15, 2021

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – SEPTEMBER 22, 2021

FIRST READING: – SEPTEMBER 22, 2021

SECOND READING: – SEPTEMBER 23, 2021

A handwritten signature in black ink, appearing to read "Jessicalynn Reyes", is written over a horizontal line.

Jessicalynn Reyes
Chief Clerk, FSM Congress



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 22-130
FSM CONGRESS

ACT NO. 22-39

(CONGRESSIONAL BILL NO. 22-80)

We hereby certify that on September 23 the foregoing act passed Second and Final Reading of the Twenty-Second Congress of the Federated States of Micronesia, Second Regular Session, 2021, 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.

A handwritten signature in black ink, appearing to read "W. Simina", with a small "PS" written to the left.

Wesley W. Simina
Speaker
Congress of the
Federated States of Micronesia

A large, stylized handwritten signature in black ink, appearing to read "Jessicalynn Reyes".

Jessicalynn Reyes
Chief Clerk
Congress of the
Federated States of Micronesia

TWENTY-SECOND CONGRESS OF THE FEDERATED STATES OF MICRONESIA

SECOND REGULAR SESSION, 2021

CONGRESSIONAL BILL NO. 22-80

AN ACT

To further amend section 609A of title 55 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Laws Nos. 21-211 and 21-232, in order to extend the expiration date of the Tourism Sector Mitigation Fund, and for other purposes.

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

1 Section 1. Section 609A title 55 of the Code of the
2 Federated States of Micronesia (Annotated) , as amended by
3 Public Laws Nos. 21-211 and 21-232, is hereby further amended to
4 read as follows:

5 "Section 609A. Tourism Sector Mitigation Fund.

6 (1) There is created a Tourism Sector Mitigation
7 Fund to be used to partially offset the economic
8 losses of the businesses in the tourism industry and
9 individuals working in the tourism industry who were
10 laid off in the Federated States of Micronesia during
11 the coronavirus epidemic.

12 (2) Moneys for the Tourism Sector Mitigation Fund
13 shall be derived from coronavirus epidemic
14 appropriations by the Congress of the Federated States
15 of Micronesia and the State legislatures, United
16 States grants, funds designated for such purposes from
17 international organizations and from any and all other
18 appropriate sources.

(3) Tourism sector businesses operating in the Federated States of Micronesia seeking relief from the Tourism Sector Mitigation Fund must show tax returns from the previous year in order to establish their losses claimed under this fund. Individuals in the tourism sector, who are seeking compensation for lost wages due to being laid off as a result of the economic downturn, must submit their last paycheck stub and a statement from their employer in the tourism industry, who laid them off, evidencing their unemployment. The President shall issue regulations for equitable compensation for affected businesses, including a possible cap on the amount of a valid claim.

(a) A tourism sector business will be eligible for the following relief in the relevant quarter to be calculated as follows:

(i) a rebate for reimbursement purposes equivalent to 100% of the Wages and Salaries paid by the taxpayer to the employees of the tourism sector business for personal services relating to producing the Gross Revenue for the business;

(ii) a rebate for reimbursement purposes equivalent to 100% for the Social Security contributions paid by the tourism sector business in

1 respect of its employees in the quarter pursuant
2 to section 902 of title 53 of the FSM Code
3 (Annotated);

4 (iii) a rebate for reimbursement purposes
5 equivalent to 100% for the Gross Revenue Tax (plus any
6 penalties and interest) payable by the tourism sector
7 business in the relevant quarter pursuant to section
8 141 of title 54 of the FSM Code (Annotated);

9 (iv) a rebate for reimbursement purposes
10 equivalent to 100% for the bank interest on business
11 loans paid by the tourism sector business to a FSM
12 domiciled branch of a FSM registered bank;

13 (v) additional relief may be added per
14 regulations; and

15 (vi) businesses that can show a direct
16 economic loss as a result in the downturn experienced
17 by the tourism sector are eligible to receive
18 assistance under this section subject to the
19 requirements under 609A(3)(i)-(v).

20 (4) The distributions from the funds shall be
21 managed and administered by a committee named by the
22 President comprising representatives of the
23 Departments of Resources and Development; Finance and
24 Administration; Justice; and Environment, Climate
25 Change and Emergency Management. The committee shall

report quarterly to Congress on the status of the fund and distributions therefrom.

(5) For the purposes of this fund tourism sector businesses shall include hotel operators, car rentals, tour operators, resorts, dive shops, airlines or any other tourist specific business not mentioned above. Other businesses not specifically mentioned above may apply for assistance under this section; PROVIDED THAT, they meet the following criteria:

(a) They can demonstrate that their business relies significantly on the supply of goods and services to the tourism sector; or

(b) They can demonstrate that their business has been significantly impacted by the COVID-19 public health emergency declaration.

(6) The Tourism Sector Mitigation Fund shall expire on June 30, 2022. Any unexpended funds shall lapse into the FSM Trust Fund."

Sept 28th, 2021

David W. Panuelo
President
Federated States of Micronesia