



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 23-25
FSM CONGRESS

June 15, 2023



The Honorable Esmond B. Moses
Speaker
Twenty-Third Congress of the
Federated States of Micronesia
Palikir, Pohnpei FM 96941

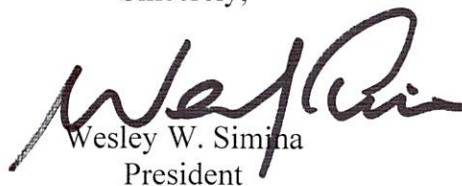
Dear Speaker Moses:

I am transmitting the following act, which I have signed to become Public Law No. 23-10 with item veto for the reasons stated in this transmittal:

Congressional Act No. 23-03, entitled: "AN ACT TO FURTHER AMEND SECTIONS 9 AND 12 OF PUBLIC LAW NO. 22-42, AS AMENDED BY PUBLIC LAWS NOS. 22-60, 22-80, 22-103 AND 22-141, TO MODIFY THE USE OF CAPITAL AND HUMAN RESOURCES DEVELOPMENT FUNDING AND CHANGE THE ALLOTTEE OF SUCH FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND THE OPERATIONS OF THE NATIONAL GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA FOR FISCAL YEAR SEPTEMBER 30, 2022; AND FOR OTHER PURPOSES."

I have no choice but veto the sections 9(4)(d)(i), 9(4)(d)(ii) and 9(4)(d)(v) on the basis of the advice by the Department of Finance and Administration regarding insufficiency of funds. Thank you.

Sincerely,


Wesley W. Simina
President

xc: Chief Justice, FSM Supreme Court



Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3

Palikir, Sokehs Pohnpei State, FM 96941

Tel: (691) 320-2324 / 2338 Fax: (691) 320-5122

PRESIDENTIAL COMM. NO. 23-25
FSM CONGRESS

May 25, 2023

His Excellency Wesley W. Simina
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941



Dear President Simina:

I have the honor to transmit herewith Congressional Act No. 23-03, "AN ACT TO FURTHER AMEND SECTIONS 9 AND 12 OF PUBLIC LAW NO. 22-42, AS AMENDED BY PUBLIC LAWS NOS. 22-60, 22-80, 22-103 AND 22-141, TO MODIFY THE USE OF CAPITAL AND HUMAN RESOURCES DEVELOPMENT FUNDING AND CHANGE THE USE AND ALLOTTEE OF SUCH FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND THE OPERATIONS OF THE NATIONAL GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA FOR FISCAL YEAR SEPTEMBER 30, 2022; AND FOR OTHER PURPOSES", which was passed by the Twenty-Third Congress of the Federated States of Micronesia, First Regular Session, 2023, 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 "J. Reyes".

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

Enclosures



PRESIDENTIAL COMM. NO. 23-25
FSM CONGRESS

TWENTY- THIRD CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST REGULAR SESSION
MAY 11 - 30, 2023

An Act

TO FURTHER AMEND SECTIONS 9 AND 12 OF PUBLIC LAW NO. 22-42, AS AMENDED BY PUBLIC LAWS NOS. 22-60, 22-80, 22-103 AND 22-141, TO MODIFY THE USE OF CAPITAL AND HUMAN RESOURCES DEVELOPMENT FUNDING AND CHANGE THE USE AND ALLOTTEE OF SUCH FUNDS PREVIOUSLY APPROPRIATED THEREIN TO FUND THE OPERATIONS OF THE NATIONAL GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA FOR FISCAL YEAR SEPTEMBER 30, 2022; AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: VICTOR V. GOULAND

DATE: MAY 15, 2023

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – MAY 16, 2023

FIRST READING: MAY 16, 2023

SECOND READING: MAY 19, 2023

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. 23-25
FSM CONGRESS

ACT NO. 23-03

(CONGRESSIONAL BILL NO. 23-03, C.D.1, C.D.2)

We hereby certify that on May 19 the foregoing act passed
Second and Final Reading of the Twenty-Third Congress of the
Federated States of Micronesia, First Regular Session, 2023, 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 be "Esmond B. Moses".

Esmond B. Moses
Speaker
Congress of the
Federated States of Micronesia

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

Jessicalynn Reyes
Chief Clerk
Congress of the
Federated States of Micronesia

TWENTY-THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2023 CONGRESSIONAL BILL NO. 23-03, C.D.1, C.D.2

AN ACT

To further amend sections 9 and 12 of Public Law No. 22-42, as amended by Public Laws Nos. 22-60, 22-80, 22-103 and 22-141, to modify the use of Capital and Human Resources Development funding and change the use and allottee of such funds previously appropriated therein to fund the operations of the National Government of the Federated States of Micronesia for fiscal year September 30, 2022; and for other purposes.

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

1 Section 1. Section 9 of Public Law No. 22-42, as amended by
2 Public Laws Nos. 22-80 and 22-141, is hereby further amended to
3 read as follows:

4 "Section 9. Capital and Human Resources Development.

5 The sum of \$16,083,505 or so much thereof as may be
6 necessary, is hereby appropriated from the General Fund of
7 the Federated States of Micronesia for the fiscal year
8 ending September 30, 2022, for the following capital
9 improvements, development programs, and projects and human
10 resources development. Of the total amount of funds
11 appropriated herein, \$1,542,202 shall be deemed to come from
12 funds available under the Supplemental Education Grant and
13 \$1,000,000 shall be deemed to come from funds available
14 under the Compact Sector Grants. The sum appropriated by
15 this section shall be apportioned as follows:

16 (1) College of Micronesia - FSM.

17 (a) College of Micronesia-FSM \$ 4,000,000

18 (b) FSM Fisheries and Maritime

1	Institute (FMI)	\$ 919,392
2	(c) College of Micronesia-FSM	
3	SEG Funding	689,948
4	(d) COM-FSM Endowment Fund	500,000
5	(e) COM-FSM Public Health Initiative	250,000
6	(2) <u>Department of Finance and Administration</u>	
7	(a) FSM Warehouse Lease and Maintenance	-0-
8	(b) PCD Awareness and Training	35,000
9	(c) Tax Reform Commission	-0-
10	(d) CIU — World Bank & ADB Funded Projects	-0-
11	(e) Strengthening financial management	
12	for municipal governments	50,000
13	(3) <u>Department of Resources and Development</u>	
14	(a) R&D SNLC	75,000
15	(b) Enhancing Fisheries: Kosrae	-0-
16	(c) Enhancing Fisheries: Pohnpei	-0-
17	(d) Enhancing Fisheries: Chuuk	-0-
18	(e) Enhancing Fisheries: Yap	-0-
19	(f) R&D Conference	73,000
20	(g) Foreign Investment Data	
21	Management System	69,500
22	(h) Expo 2020 Dubai UAE	-0-
23	(i) Intellectual Property Rights Regime .	-0-
24	(j) Development of Coastal	
25	Fisheries Policy for FSM	-0-

1	(k) Development & Operation Framework to	
2	Implement the National Seabed Mining Act	\$ -0-
3	(l) Tourism Conference	80,000
4	(m) Tourism Budget & Planning with the States	450,000
5	(n) Tourism Public Awareness	75,000
6	(o) Little Fire Ants (Eradication,	
7	Control, & Prevention)	-0-
8	(p) State Strategic Action Plan for the FSM	-0-
9	(q) Renewable Energy Development Plan ...	-0-
10	(r) National Social Indicators Survey ...	-0-
11	(s) Localization of Sustainable	
12	Development Goals in the FSM	-0-
13	(t) FSM Association of Chamber of	
14	Commerce/Support to COC	67,000
15	(u) National Coastal Fisheries	
16	Monitoring Team	-0-
17	(v) Computing Facility Upgrade	-0-
18	(w) Strengthening National/Private Sector	
19	Organizations in the FSM	-0-
20	(4) <u>Department of Transportation, Communications</u>	
21	<u>and Infrastructure</u>	
22	(a) Operation and Dry-Docking of Caroline	
23	Voyager and Navigator	1,000,000
24	(b) FSM National Government	
25	Computer Network	100,000

1	(c) AIP Matching Fund	\$	-0-
2	(d) States Roads Maintenance & Improvement:		
3	(i) Paving of Nanpil road from Hydro plant		150,000
4	to Liduduhniap road		150,000
5	(ii) Pohnpei State Communities		
6	Road improvement		150,000
7	(iii) Yap roads maintenance and		
8	Improvement and purchasing of heavy equipment .		300,000
9	(iv) Weno road and for purchase of material		
10	and heavy equipment		300,000
11	(v) Kosrae state matching for the Kosrae's		300,000
12	Compact Infrastructure Maintenance Fund		300,000
13	(e) FSM National Government Facility		
14	Improvements and Renovations		592,715
15	(f) Outer Island Airport		-0-
16	(g) New Warehouse Building		-0-
17	(h) Airport Needs		-0-
18	(i) Capital Road improvement		300,000
19	(5) <u>Department of Justice</u>		
20	(a) Anti-Human Trafficking Enforcement,		
21	Campaign, and Investigation		125,000
22	(b) Victim Shelter and Services		100,000
23	(c) Boat Maintenance		150,000
24	(d) Slipping of the FSS Independence		-0-
25	(e) DOJ Satellite Phone Billing		10,000

1	(f) HT Annual Conference	\$ 50,000
2	(g) Victim Shelter in Chuuk	-0-
3	(h) Build Anti-Trafficking Shelters	
4	in Pohnpei, Yap, and Kosrae	-0-
5	(i) Purchase four patrol boats	-0-
6	(j) COVID-19 Law Enforcement &	
7	Emergency Response	-0-
8	(k) Law Reform Initiatives	-0-
9	(6) <u>Department of Environment, Climate Change</u>	
10	<u>and Emergency Management</u>	
11	(a) National & State Table Top Exercise .	30,000
12	(b) Outer Island Trip Assessment -	
13	Climate Change & Disaster Risk Management	80,000
14	(c) National Joint Platform for	
15	Environment & Risk Resilience	-0-
16	(d) International Day for Disaster Reduction	12,000
17	(e) Training & Maintenance for Radio	
18	Communications	-0-
19	(f) Fostering Sustainable Solid Waste	
20	Management Systems in FSM	-0-
21	(g) Fourth Disaster Risk Management	
22	Environment Conference	40,000
23	(h) Digital Atlas Dev. for the four	
24	states and outer islands	255,000
25	(7) <u>National Election Commission Office</u>	

1	(a) Voter ID Card and New Voter	
2	Registration Project	\$ 50,000
3	(8) <u>Department of Health and Social Affairs</u>	
4	(a) MOE-BHWP Med	22,200
5	(b) Electronic Record System	35,000
6	(c) Rheumatic Heart Program	120,000
7	(d) Medical Specialist Team	195,00
8	(e) National Women Council	-0-
9	(f) Vector Surveillance & Control Program	50,000
10	(g) Histopathology Laboratory	-0-
11	(h) FSM Food Safety Laboratory	-0-
12	(i) Pathologist	105,000
13	(j) Food/Water Testing Lab	-0-
14	(k) Youth in Sports	50,000
15	(l) Doctors: Foundation Project	-0-
16	(m) Implementing IHR Core Capacity	
17	to Improve Health Security	50,000
18	(n) Antimicrobial Resistance (AMR)	-0-
19	(o) Emergency Fund in Immediate Response	
20	to Inland COVID-19 Contamination, PROVIDED THAT	
21	the funds shall be used only for health services	
22	provided in response to COVID-19 infection,	
23	treatment and testing	1,000,000
24	(9) <u>Department of Education</u>	
25	(a) NDOE Year 3 Project (SEG)	556,074

1	(b) School Accreditation	\$ 431,877
2	(c) Teacher Certification Project	205,273
3	(d) Literacy Intervention for	
4	FSM Leaders of Tomorrow (LIFT)	-0-
5	(e) Printing and Shipment of Science	
6	Student Learning Outcomes (SLOs)	75,000
7	(f) Expansion and Development of	
8	SLO Language Arts	232,214
9	(g) CELEP	50,000
10	(h) Assessment & Research to revive NMCT	140,312
11	(10) <u>NORMA</u>	
12	(a) Commemoration of World Tuna Day 2022	70,000
13	(b) FFC Meetings.	-0-
14	(c) Hosting WPCFC, TTC, & SC	10,000
15	(d) Internship for students in the	
16	area of fisheries management	5,000
17	(e) T3 Monitoring	150,000
18	(11) <u>Other Capital and Human Resources Development</u>	
19	(a) Capital Improvement Projects	-0-
20	(b) Design and Construction of	
21	Veterans Memorial	-0-
22	(c) Conservation Society	-0-
23	(d) 2020 Constitutional Convention	-0-
24	(e) Enhancing Tourism	-0-
25	(f) Purchase and delivery of an	

1	outer island airplane	\$	-0-
2	(g) Assistance to FSM residents stranded		
3	in Hawaii & Guam due to COVID-19		-0-
4	(h) Assistance to FSM students unable		
5	to return home due to COVID-19		-0-
6	(i) Contribution to the Guam Consulate		
7	for COVID-19 response activities		-0-
8	(j) New Executive Building for DHSA & NDOE		-0-
9	(k) FSM Quarantine Facility in Guam		500,000
10	(l) 4 th FSM Constitutional Convention		85,000
11	(m) Litigation expenses for major		
12	crimprosecution in Yap		100,000
13	(n) Telecommunication Tower for		
14	Sapwuafik Outer Island		120,000
15	(o) National Contribution to the		
16	Funeral of Late FSM President Nena		20,000
17	(p) Guam Quarantine Facility Arrears		100,000
18	(q) Caroline Air Subsidy for Insurance,		
19	Fuel, Personnel and Other Operational Expenses		150,000
20	(r) National Government Outstanding		
21	Payment to Energy Power System of		
22	Australia (EPSA)		27,000"
23	Section 2. Section 12 of Public Law No. 22-42, as amended by		
24	Public Laws Nos. 22-103 and 22-141, is hereby further amended to		
25	read as follows:		

1 "Section 12. Allotment and Management of Funds and Lapse
2 Dates.

3 (1) General provisions.

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

8 (b) The allottees shall be responsible for ensuring
9 that these funds, or so much thereof as may be necessary,
10 are used solely for the purposes specified in this act, and
11 that no obligations are incurred in excess of the sums
12 appropriated.

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

15 (a) Section 2 - the allottee of these funds shall be
16 the President of the Federated States of Micronesia;

17 (b) Section 3 and section 8(12)(w) - the allottee of
18 these funds shall be the Speaker of the Congress of the
19 Federated States of Micronesia;

20 (c) Section 4 - the allottee of these funds shall be
21 the Chief Justice of the Supreme Court of the Federated
22 States of Micronesia;

23 (d) Section 5 - the allottee of these funds shall be
24 the Public Auditor of the Federated States of Micronesia;

25 (e) Sections 6 through 9 - the allottee of these funds

1 shall be the President of the Federated States of
2 Micronesia; PROVIDED, HOWEVER, that for the following
3 subsections of sections 8 through 9 of this act:

4 (i) Sections 8(1)(f) and 8(13)(q) - the allottee
5 of these funds shall be the Chair of the Joint Committee on
6 Compact Review and Planning;

7 (ii) Section 8(8)(a) - the allottee of these funds
8 shall be the Governor of the state of Kosrae;

9 (iii) Section 8(8)(b) - the allottee of these funds
10 shall be the Governor of the state of Pohnpei;

11 (iv) Section 8(8)(c) - the allottee of these funds
12 shall be the Governor of the state of Chuuk, except the for
13 the \$75,000 for the Weno Municipal Police, whom the allottee
14 shall be the President of the Federated States of
15 Micronesia;

16 (v) Section 8(8)(d) - the allottee of these funds
17 shall be the Governor of the state of Yap;

18 (vi) Section 8(11) - the allottee of these funds
19 shall be the Speaker of the Congress of the Federated States
20 of Micronesia;

21 (vii) Section 8(12)(a) - the allottee of these funds
22 shall be the President of the College of Micronesia-FSM;

23 (viii) Section 8(12)(d) through (g) - the allottee of
24 these funds shall be the Chief Justice of the respective
25 State Supreme Court;

1 (ix) Section 8(12)(h) - the allottee of these funds
2 shall be the Chief Justice of the Supreme Court of the
3 Federated States of Micronesia;

4 (x) Section 9(1) - the allottee of these funds
5 shall be the President of the College of Micronesia-FSM;

6 (xi) Section 9(3)(b) - the allottee of these funds
7 shall be the Governor of the state of Kosrae;

8 (xii) Section 9(3)(b) - the allottee of these funds
9 shall be the Governor of the state of Kosrae;

10 (xiv) Section 9(3)(c) - the allottee of these funds
11 shall be the Governor of the state of Pohnpei;

12 (xv) Section 9(3)(d) - the allottee of these funds
13 shall be the Governor of the state of Chuuk;

14 (xvi) Section 9(3)(e) - the allottee of these funds
15 shall be the Governor of the state of Yap;

16 (xvii) Section 9(11)(b) - the allottee of these funds
17 shall be the Speaker of the Congress of the Federated States
18 of Micronesia; and

19 (xviii) (Section 9(11)(d) - the allottee of these
20 funds shall be the President of the Constitutional
21 Convention;

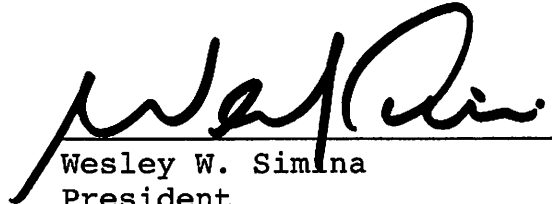
22 (xix) Section 9(8)(o) - the allottee of these funds
23 shall be the Secretary of the Department of Health;

24 (xx) Section 9(4)(d)(iv) - the allottee of these
25 funds shall be the Mayor of Weno Municipal Government.

(3) Lapse date. The authority of the allottees to obligate funds appropriated by this act shall lapse as of September 30, 2022; PROVIDED, HOWEVER, that the funds appropriated under section 9 of this act shall not lapse."

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.

June 16, 2023


Wesley W. Simina
President
Federated States of Micronesia

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