The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 23-18
FSM CONGRESS

October 21, 2023

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

Dear Speaker Moses:

I am pleased to transmit the following Congressional Act, which I have signed to become Public Law No. 23-40:

Congressional Act No. 23-34, 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, 22-141 AND 23-10, TO MODIFY THE USE OF CAPITAL AND HUMAN RESOURCES DEVELOPMENT FUNDING AND CHANGE THE USE AND ALLOTTEE OF SUCH FUNDS PREVIOUSLY APPROPRIATE 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."

Sincerely,

Wesley W. Simina
President

Xc: Acting Chief Justice, FSM Supreme Court
September 27, 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. 23-34, "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, 22-141 AND 23-10, 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, Second Regular Session, 2023, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

Jessica Lynn Reyes
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
An Act


INTRODUCED BY SENATOR: ISAAC V. FIGIR
DATE: SEPTEMBER 12, 2023

REFERRED TO: WAYS AND MEANS COMMITTEE
WITHDRAWN – SEPTEMBER 20, 2023
FIRST READING: SEPTEMBER 21, 2023
SECOND READING: SEPTEMBER 26, 2023

Jessica Lynn Reyes
Chief Clerk, FSM Congress
ACT NO. 23-34

(CONGRESSIONAL BILL NO. 23-46, C.D.1, C.D.2)

We hereby certify that on September 26 the foregoing act passed Second and Final Reading of the Twenty-Third Congress of the Federated States of Micronesia, Second 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.

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

Jessica Lynn Reyes
Chief Clerk
Congress of the Federated States of Micronesia
TWENTY-THIRD CONGRESS OF THE FEDERATED STATES OF MICRONESIA
SECOND REGULAR SESSION, 2023 CONGRESSIONAL BILL NO. 23-46, 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, 22-141 and 23-10, 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 9 of Public Law No. 22-42, as amended by Public Laws Nos. 22-80, 22-141 and 23-10, is hereby further amended to read as follows:

"Section 9. Capital and Human Resources Development.

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

(1) College of Micronesia—FSM.

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

(k) Development & Operation Framework to Implement the National Seabed Mining Act

(l) Tourism Conference

(m) Tourism Budget & Planning with the States

(n) Tourism Public Awareness

(o) Little Fire Ants (Eradication, Control, & Prevention)

(p) State Strategic Action Plan for the FSM

(q) Renewable Energy Development Plan

(r) National Social Indicators Survey

(s) Localization of Sustainable Development Goals in the FSM

(t) FSM Association of Chamber of Commerce/Support to COC

(u) National Coastal Fisheries Monitoring Team

(v) Computing Facility Upgrade

(w) Strengthening National/Private Sector Organizations in the FSM

(4) Department of Transportation, Communications and Infrastructure

(a) Operation and Dry-Docking of Caroline Voyager and Navigator

(b) FSM National Government

1,000,000
1. Computer Network ...........................................$ 100,000

2. (c) AIP Matching Fund................................. -0-

3. (d) States Roads Maintenance & Improvement:

4. (i) Paving of Nanpil road from Hydro plant
to Liduduhniap road...................................... -0-

5. (ii) Pohnpei State Communities

6. Road improvement....................................... -0-

7. (iii) Yap roads maintenance and

8. Improvement and purchasing of

9. heavy equipment ....................................... 240,000

10. (iv) Weno road and for purchase of material

11. and heavy equipment..................................... 300,000

12. (v) Kosrae state matching for the Kosrae's

13. Compact Infrastructure Maintenance Fund............ -0-

14. (vi) Expended roads maintenance &

15. improvement projects for Pohnpei State.............. 300,000

16. (vii) Expended roads maintenance & improvement

17. projects for Kosrae States......................... 300,000

18. (e) FSM National Government Facility

19. Improvements and Renovations ....................... 592,715

20. (f) Outer Island Airport............................ -0-

21. (g) New Warehouse Building......................... -0-

22. (h) Airport Needs.................................... -0-

23. (i) Capital Road improvement....................... 300,000

24. (j) Abyang Community Yapese Traditional
Building Projects ........................................... $ 60,000

(5) Department of Justice
(a) Anti-Human Trafficking Enforcement, Campaign, and Investigation ................. $ 125,000
(b) Victim Shelter and Services ................. 100,000
(c) Boat Maintenance ................................. 150,000
(d) Slipping of the FSS Independence ...... -0-
(e) DOJ Satellite Phone Billing ................. 10,000
(f) HT Annual Conference ...................... 50,000
(g) Victim Shelter in Chuuk ................. -0-
(h) Build Anti-Trafficking Shelters

in Pohnpei, Yap, and Kosrae .................. -0-
(i) Purchase four patrol boats ............. -0-
(j) COVID-19 Law Enforcement & Emergency Response .................. -0-
(k) Law Reform Initiatives ................. -0-

(6) Department of Environment, Climate Change and Emergency Management
(a) National & State Table Top Exercise .. 30,000
(b) Outer Island Trip Assessment – Climate Change & Disaster Risk Management ...... 80,000
(c) National Joint Platform for Environment & Risk Resilience .................. -0-
(d) International Day for Disaster Reduction 12,000
(e) Training & Maintenance for Radio
1 Communications ...........................................$ -0-
2 (f) Fostering Sustainable Solid Waste
3 Management Systems in FSM .............................. -0-
4 (g) Fourth Disaster Risk Management
5 Environment Conference................................. 40,000
6 (h) Digital Atlas Dev. for the four
7 states and outer islands............................... 255,000
8 (7) National Election Commission Office
9 (a) Voter ID Card and New Voter
10 Registration Project................................. 50,000
11 (8) Department of Health and Social Affairs
12 (a) MOE-BHWP Med........................................ 44,400
13 (b) Electronic Record System.......................... 35,000
14 (c) Rheumatic Heart Program........................... 240,000
15 (d) Medical Specialist Team............................ 195,00
16 (e) National Women Council............................ -0-
17 (f) Vector Surveillance & Control Program.............. 50,000
18 (g) Histopathology Laboratory.......................... -0-
19 (h) FSM Food Safety Laboratory.......................... -0-
20 (i) Pathologist........................................... 105,000
21 (j) Food/Water Testing Lab................................ -0-
22 (k) Youth in Sports...................................... 50,000
23 (l) Doctors: Foundation Project...................... -0-
24 (m) Implementing IHR Core Capacity
25 to Improve Health Security............................ 50,000
1. (n) Antimicrobial Resistance (AMR) ........... $0
2. (o) Emergency Fund in Immediate Response to Inland COVID-19 Contamination, PROVIDED THAT the funds shall be used only for health services provided in response to COVID-19 infection,
3. (p) Psychologist .................... 60,000
4. (q) Obstetric Delivery Tables for the States & Obstetrics Care Services in the States ........ 22,800
5. (9) Department of Education
6. (a) NDOE Year 3 Project (SEG) .......... 556,074
7. (b) School Accreditation ............... 431,877
8. (c) Teacher Certification Project ...... 205,273
9. (d) Literacy Intervention for FSM Leaders of Tomorrow (LIFT) ............... $0
10. (e) Printing and Shipment of Science Student Learning Outcomes (SLOs) .......... 75,000
11. (f) Expansion and Development of SLO Language Arts ....................... 232,214
12. (g) CELEP ............................ 50,000
13. (h) Assessment & Research to revive NMCT .... 140,312
14. (10) NORMA
15. (a) Commemoration of World Tuna Day 2022 70,000
16. (b) FFC Meetings ...................... $0
17. (c) Hosting WPCFC, TTC, & SC ........... 10,000
(d) Internship for students in the area of fisheries management $5,000
(e) T3 Monitoring $150,000

(11) Other Capital and Human Resources Development
(a) Capital Improvement Projects $-0-
(b) Design and Construction of Veterans Memorial $-0-
(c) Conservation Society $-0-
(d) 2020 Constitutional Convention $-0-
(e) Enhancing Tourism $-0-
(f) Purchase and delivery of an outer island airplane $-0-
(g) Assistance to FSM residents stranded in Hawaii & Guam due to COVID-19 $-0-
(h) Assistance to FSM students unable to return home due to COVID-19 $-0-
(i) Contribution to the Guam Consulate for COVID-19 response activities $-0-
(j) New Executive Building for DHSA & NDOE $-0-
(k) FSM Quarantine Facility in Guam $500,000
(l) 4th FSM Constitutional Convention $85,000
(m) Litigation expenses for major crimprosecution in Yap $100,000
(n) Telecommunication Tower for Sapwuafik Outer Island $120,000
(o) National Contribution to the
Funeral of Late FSM President Nena .......... $ 20,000

(p) Guam Quarantine Facility Arrears...... 100,000

(q) Caroline Air Subsidy for Insurance,
Fuel, Personnel and Other Operational Expenses 150,000

(r) National Government Outstanding
Payment to Energy Power System of
Australia (EPSA)........................................ 27,000"

Section 2. Section 12 of Public Law No. 22-42, as amended by
Public Laws Nos. 22-103, 22-141 and 23-10, is hereby further
amended to read as follows:

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

(1) General provisions.

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

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

(2) Allottees. The allottees of the funds appropriated by
this act are as follows:
(a) Section 2 - the allottee of these funds shall be the President of the Federated States of Micronesia;

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

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

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

(e) Sections 6 through 9 - the allottee of these funds shall be the President of the Federated States of Micronesia; PROVIDED, HOWEVER, that for the following subsections of sections 8 through 9 of this act:

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

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

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

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

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

(vi) Section 8(11) – the allottee of these funds shall be the Speaker of the Congress of the Federated States of Micronesia;

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

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

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

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

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

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

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

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

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

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

(xviii) (Section 9(11)(d) – the allottee of these funds shall be the President of the Constitutional Convention;

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

(xx) Section 9(4)(d)(iv) – the allottee of these funds shall be the Mayor of Weno Municipal Government;

(xxii) Section 9(4)(j) – the allottee of these funds shall be the Governor of Yap State.

(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.

October 21, 2023

Wesley W. Simina
President
Federated States of Micronesia