The President
Palikir, Pohnpei
Federated States of Micronesia

October 27, 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 act, which I have signed to become Public Law No. 23-43:

Congressional Act No. 23-40, entitled: “AN ACT TO AMEND SECTION 2 OF PUBLIC LAW NO. 15-70, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVE TO JEMCO, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM JEMCO IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, AND TO FURTHER AMEND SECTION 3 OF PUBLIC LAW NO. 15-70, AS AMENDED BY PUBLIC LAW 15-139 AND 20-186, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVES TO JOINT TRUST FUND COMMITTEE, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM THREE YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM THE JOINT TRUST FUND COMMITTEE IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, AND FOR OTHER PURPOSES.”

I take this opportunity to express my gratitude to you, Speaker Moses, and all Members of the 23rd FSM Congress for the passage of this important legislation to implement the terms of the 2023 Amended Compact and its subsidiary agreements.

Sincerely,

[Signature]

Wesley W. Simpa
President

xc: Chief Justice, FSM Supreme Court
October 03, 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. 23-40, "AN ACT TO AMEND SECTION 2 OF PUBLIC LAW NO. 15-70, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVE TO JEMCO, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM JEMCO IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, AND TO FURTHER AMEND SECTION 3 OF PUBLIC LAW NO. 15-70, AS AMENDED BY PUBLIC LAW NOS. 20-139 AND 20-186, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVES TO JOINT TRUST FUND COMMITTEE, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM THREE YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM THE JOINT TRUST FUND COMMITTEE IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, 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,

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

Enclosures
An Act

TO AMEND SECTION 2 OF PUBLIC LAW NO. 15-70, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVE TO JEMCO, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON JEMCO FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM JEMCO IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, AND TO FURTHER AMEND SECTION 3 OF PUBLIC LAW NO. 15-70, AS AMENDED BY PUBLIC LAW NOS. 20-139 AND 20-186, TO MANDATE THAT ONLY FSM CITIZENS AND FSM NATIONALS CAN BE APPOINTED AS FSM REPRESENTATIVES TO JOINT TRUST FUND COMMITTEE, TO INCREASE THE TERM OF YEARS FOR FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM THREE YEARS TO FOUR YEARS, TO INCREASE THE NUMBER OF FSM REPRESENTATIVES SERVING ON THE JOINT TRUST FUND COMMITTEE FROM TWO TO THREE CONTINGENT ON THE RATIFICATION OF THE 2023 AMENDED COMPACT AND ITS SUBSIDIARY AGREEMENTS BY THE FSM CONGRESS AND APPROVAL OF THE SAME BY THE UNITED STATES GOVERNMENT, TO REQUIRE THE PRESIDENT TO INFORM A FSM REPRESENTATIVE REMOVED FROM THE JOINT TRUST FUND COMMITTEE IN WRITING OF THE REASON FOR HIS OR HER REMOVAL, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: QUINCY LAWRENCE (BY REQUEST)
DATE: JULY 10, 2023

REFERRED TO: JUDICIARY AND GOVERNMENTAL OPERATION COMMITTEE
S.C.R. NO. 23-36 – SEPTEMBER 22, 2023

FIRST READING: SEPTEMBER 27, 2023
SECOND READING: SEPTEMBER 29, 2023

Jessicalynn Reyes
Chief Clerk, FSM Congress
ACT NO. 23-40

(CONGRESSIONAL BILL NO. 23-23, C.D.1,
C.D.2, C.D.3)

We hereby certify that on September 30 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
AN ACT

To amend section 2 of Public Law No. 15-70, to mandate that only FSM Citizens and FSM nationals can be appointed as FSM Representative to JEMCO, to increase the term of years for FSM Representatives serving on JEMCO from two years to four years, to increase the number of FSM Representatives serving on JEMCO from two to three contingent on the ratification of the 2023 Amended Compact and its subsidiary agreements by the FSM Congress and approval of the same by the United States Government, to require the President to inform a FSM Representative removed from JEMCO in writing of the reason for his or her removal, and to further amend section 3 of Public Law No. 15-70, as amended by Public Law Nos. 20-139 and 20-186, to mandate that only FSM Citizens and FSM nationals can be appointed as FSM Representatives to Joint Trust Fund Committee, to increase the term of years for FSM representatives serving on the Joint Trust Fund Committee from three years to four years, to increase the number of FSM Representatives serving on the Joint Trust Fund Committee from two to three contingent on the ratification of the 2023 Amended Compact and its subsidiary agreements by the FSM Congress and approval of the same by the United States Government, to require the President to inform a FSM Representative removed from the Joint Trust Fund Committee in writing of the reason for his or her removal, and for other purposes.

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

1 Section 1. Section 2 of Public Law No. 15-70, is hereby amended to read as follows:

"Section 2. Appointment and Terms of JEMCO Representatives.

(1) The President shall appoint, with the advice and consent of Congress, three JEMCO Members;

(a) One member shall be appointed by virtue
of his or her position within the National Government;
and

(b) The other members will be appointed by
the President from a list of four nominees, one nominee
per a state governor.

(2) JEMCO Representatives appointed by the FSM must be
a FSM citizen or national.

(3) JEMCO Members shall serve a term of four years. A
term shall commence from the date of confirmation by
Congress and end when respective replacements are
qualified and confirmed.

(4) A JEMCO member may be re-appointed for another
consecutive term, but not more than two consecutive
terms.

(5) The National Government will be responsible for
the cost of the representatives' participation in all
JEMCO meetings.

(6) The President may designate a temporary substitute
for any of the three representatives in the event of
temporary incapacity, illness, family emergencies, and
other reasons which prevent the advice and consent
representative from participating in JEMCO business.

(7) A representative of the Federated States of
Micronesia to JEMCO may be removed from office by the
President for any reason. The President must inform the
removed representative in writing of the reason for his
or her removal from JEMCO.

(8) A substitute representative of the Federated
States of Micronesia to JEMCO shall not serve for more
than three (3) consecutive months, unless he or she is
first appointed by the President and confirmed by
Congress."

Section 2. Section 3 of Public Law No. 15-70, as amended by
Public Law Nos. 20-139 and 20-186, is hereby further amended to
read as follows:

"Section 3. Appointment and Terms of Office, and Duties of
Joint Trust Fund Committee Representatives. The three
representatives for the FSM National Government to the
Joint Trust Fund Committee pursuant to Part III Article 7
of the 2023 Joint Trust Fund Agreement of the 2023 Amended
Compact of Free Association, shall be selected and shall
serve as follows:

(1) The representatives for the FSM National
Government to the Joint Trust Fund Committee shall be
appointed by the President and shall have at least five
years of working experience in financial management and
investment. The appointments require advice and consent of
the Congress. FSM representatives shall serve for a term of
four years each and may be reappointed to office for not
more than two consecutive terms. FSM representatives' must
be a FSM citizen or national. Membership on the Board of
the FSM Trust Fund shall not be a bar to serving as a Joint
Trust Fund Committee Representative.

(2) The FSM National Government will be responsible
for the costs of the FSM representatives' participation in
all Joint Trust Fund Committee activities. The President
may designate a temporary substitute for any of the FSM
representatives in the event of temporary incapacity,
ilness, family emergencies, and other reasons which
prevent the advice and consent representative for the FSM
from participating in Joint Trust Fund Committee business.

(3) A representative of the FSM National Government
to the Joint Trust Fund Committee may be removed from
office by the President for any reason. The President must
inform the removed representative in writing of the reason
for his or her removal from the Joint Trust Fund Committee.

(4) A substitute representative of the Federated
States of Micronesia to the Joint Trust Fund Committee
shall not serve for more than three (3) consecutive months,
unless he or she is first appointed by the President and
confirmed by Congress.

(5) The duties and authority of the Joint Trust Fund
Committee representatives shall not extend to the
allocation of Trust Fund proceeds for a particular sector
use or among the governments of the Federated States of
Micronesia, unless authorized by Congress by resolution."

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 27, 2023

Wesley W. Simina
President
Federated States of Micronesia