



*The President*  
*Palikir, Pohnpei*  
*Federated States of Micronesia*

PRESIDENTIAL COMM. NO. 2063  
FSM CONGRESS

July 20, 2017

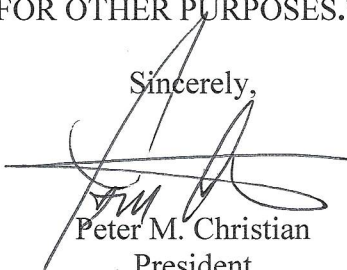
The Honorable Wesley W. Simina  
Speaker  
Twentieth Congress of the Federated States of Micronesia  
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I hereby return the following congressional act, which was repassed and became Public Law No. 20-20:

Congressional Act No. 20-16, entitled "AN ACT TO AMEND SECTION 389 UNDER CHAPTER 3 OF TITLE 21 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, PERTAINING TO ASSETS AND LIABILITIES OF THE OPEN ACCESS ENTITY, AND FOR OTHER PURPOSES."

Sincerely,



Peter M. Christian  
President

Enclosure:

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

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Office of the President FSM

PRESIDENTIAL COMM. NO. 20-16  
FSM CONGRESS

July 18, 2017

His Excellency Peter M. Christian  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941

Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 20-16, "AN ACT TO AMEND SECTION 389 UNDER CHAPTER 3 OF TITLE 21 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED) AS AMENDED, PERTAINING TO ASSETS AND LIABILITIES OF THE OPEN ACCESS ENTITY, AND FOR OTHER PURPOSES.", which was repassed on July 14, by the Twentieth Congress of the Federated States of Micronesia, First Special Session, 2017, by a three-fourths vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, Congress of the  
Federated States of Micronesia

Enclosures



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 20-63  
FSM CONGRESS

ACT NO. 20-16

(CONGRESSIONAL BILL NO. 20-15, C.D.1)

I hereby certify that on July 14 the foregoing act was repassed by the Twentieth Congress of the Federated States of Micronesia, First Special Session, 2017, by a three-fourths vote of all the State delegations as required under article IX, section 2(q), of the Constitution of the Federated States of Micronesia.

A handwritten signature in black ink, appearing to be "W. Simina", is written over a horizontal line.

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

TWENTIETH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIRST REGULAR SESSION, 2017

CONGRESSIONAL BILL NO. 20-15, C.D.1

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AN ACT

To amend section 389 under Chapter 3 of title 21 of the Code of the Federated States of Micronesia (Annotated) as amended, pertaining to assets and liabilities of the Open Access Entity, and for other purposes.

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

1       Section 1. Section 389 of title 21 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended, is hereby  
3 further amended to read as follows:

4           "Section 389. Establishment of Open Access Entity and  
5 authority to acquire assets and assume liabilities and  
6 obligations.

7           (1) Should the Secretary certify that it is in the  
8 interests of the Federated States of Micronesia for a  
9 corporation owned by the Government to be established  
10 under this section in order to own and operate submarine  
11 and terrestrial cable assets within the Federated States  
12 of Micronesia or serving the Federated States of  
13 Micronesia (the Open Access Entity), the corporation  
14 shall be deemed to be established as at the vesting  
15 date, and with such assets and liabilities, specified in  
16 such certificate.

17           (2) The Open Access Entity shall provide  
18 international and domestic connectivity for the  
19 transmission of data for communications services as a



1 wholesaler but not at retail. Such connectivity shall  
2 be provided on non-discriminatory and cost-based terms;  
3 PROVIDED, HOWEVER, that the Open Access Entity shall  
4 provide connectivity free of charge to the Corporation,  
5 established by Section 202 of Title 21 of the Code of  
6 the Federated States of Micronesia, from Pohnpei to  
7 Chuuk and Chuuk to Guam on terms substantially similar  
8 to those demanded by the Open Access Entity from the  
9 Corporation on the HANTRU1 Cable System.

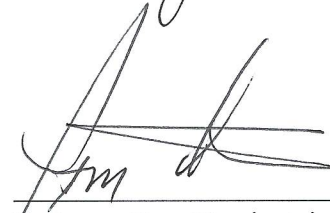
10 (3) The assets, liabilities and obligations referred  
11 to in a certificate issued under subsection (1) or any  
12 amending or supplementary certificate issued by the  
13 Secretary may be described specifically or by class, and  
14 no objection shall be taken in any court to the accuracy  
15 or completeness of such description.

16 (4) Nothing in this section shall restrict or prevent  
17 the Open Access Entity from acquiring other assets or  
18 undertaking other activities that in the opinion of the  
19 board of the Open Access Entity are required in order to  
20 provide the services referred to in subsection (2)."

21  
22  
23  
24  
25 PUBLIC LAW No. 20- 20

Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

July 20, 2017



Peter M. Christian  
President  
Federated States of Micronesia

PUBLIC LAW No. 20- 20