



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 20-63
FSM CONGRESS

July 20, 2017

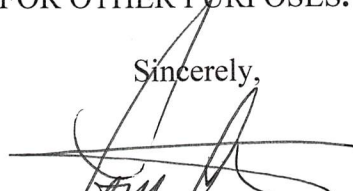
The Honorable Wesley W. Simina
Speaker
Twentieth Congress of the Federated States of Micronesia
Palikir, Pohnpei FM 96941

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. 20163
FSM CONGRESS

July 18, 2017

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

Dear President Christian:

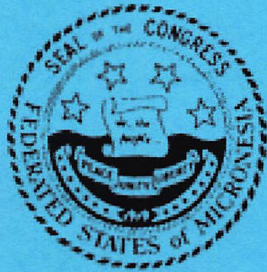
I have the honor to transmit herewith Congressional Act No. 20-16, "AN ACT TO AMEND SECTION 389 UNDER CHAPTER 3 OF TITLE 21 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED) AS AMENDED, PERTAINING TO ASSETS AND LIABILITIES OF THE OPEN ACCESS ENTITY, AND FOR OTHER PURPOSES.", which was repassed 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



PRESIDENTIAL COMM. NO. 20-03
FSM CONGRESS

TWENTIETH CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FIRST SPECIAL SESSION
JULY 6 - 15, 2017

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.

INTRODUCED BY: SENATOR FLORENCIO S. HARPER (BY REQUEST)

DATE: MAY 16, 2017

REPASSED: JULY 14, 2017

A handwritten signature in black ink, appearing to read "Liwiana Ramon Ioanis", is written over a horizontal line.

Liwiana Ramon Ioanis
Chief Clerk, FSM Congress



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3 Palikir, Sokehs

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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 read "Wesley W. Simina", is written over a horizontal line.

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

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.

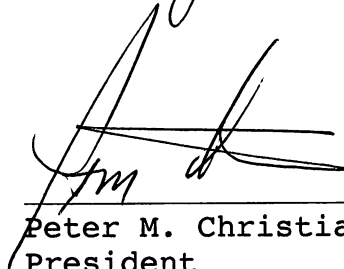
16 (4) Nothing in this section shall restrict or prevent
 17 the Open Access Entity from acquiring other assets or
 18 undertaking other activities that in the opinion of the
 19 board of the Open Access Entity are required in order to
 20 provide the services referred to in subsection (2)."

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

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

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July 20, _____, 2017



Peter M. Christian
President
Federated States of Micronesia

PUBLIC LAW No. 20- 20