



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 21-549
FSM CONGRESS

April 28, 2021

The Honorable Wesley W. Simina
Speaker
Twenty-First Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I am pleased to transmit herewith the enclosed Congressional Act, which I have signed to become Public Law No. 21-248:

Congressional Act No. 21-251, entitled: "AN ACT TO AMEND PUBLIC LAW NO. 21-228, BY AMENDING SECTIONS 3, 4, 5 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF FUNDS APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE PEOPLE OF KOSRAE, POHNPEI AND CHUUK STATES, AND FOR OTHER PURPOSES."

In signing this act, I noted the changes made in the use of public project funds previously appropriated and also the corresponding allottee thereof. Also, among the changes include funding given to churches for multipurpose building projects. I need to be sure that we do not offend the constitutional provision on the non-establishment of religion. (Art. IV Sec. 2, FSM Constitution). Therefore, while I have decided not to item veto the references to churches in the appropriation, I will be reviewing the project control documents and the allotments for this funding to avoid constitutional violation in the implementing these projects. Thank you.

Sincerely,

David W. Panuelo
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

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PRESIDENTIAL COMM. NO. 21-549
FSM CONGRESS

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Office of the
President FSM

March 31, 2021

His Excellency David W. Panuelo
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Panuelo:

I have the honor to transmit herewith Congressional Act No. 21-251, "AN ACT TO AMEND PUBLIC LAW NO. 21-228, BY AMENDING SECTIONS 3, 4, 5 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF FUNDS APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE PEOPLE OF KOSRAE, POHNPEI AND CHUUK STATES, AND FOR OTHER PURPOSES", which was passed by the Twenty-First Congress of the Federated States of Micronesia, Tenth Special Session, 2021, 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 "Jessicalynn Reyes", with a long horizontal flourish extending to the right.

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

Enclosures



PRESIDENTIAL COMM. NO. 21-549
FSM CONGRESS

TWENTY-FIRST CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
TENTH SPECIAL SESSION
MARCH 22 – 31, 2021

An Act

TO AMEND PUBLIC LAW NO. 21-228, BY AMENDING SECTIONS 3, 4, 5 AND 6 THEREOF, TO CHANGE THE USE AND ALLOTTEE OF FUNDS APPROPRIATED THEREIN, TO FUND PUBLIC PROJECTS AND SOCIAL PROGRAMS FOR THE PEOPLE OF KOSRAE, POHNPEI AND CHUUK STATES, AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: PALIKNOA K. WELLY

DATE: MARCH 22, 2021

REFERRED TO: COMMITTEE ON WAYS AND MEANS

WITHDRAWN – MARCH 24, 2021

FIRST READING: – MARCH 25, 2021

SECOND READING: – MARCH 29, 2021

A handwritten signature in black ink, consisting of a large, stylized 'J' and 'R' followed by 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. 21-549
FSM CONGRESS

ACT NO. 21-251

(CONGRESSIONAL BILL NO. 21-378, C.D.1,
C.D.2, C.D.3)

We hereby certify that on March 29 the foregoing act passed Second and Final Reading of the Twenty-First Congress of the Federated States of Micronesia, Tenth Special Session, 2021, 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 read "Wesley W. Simina".

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

A large, stylized handwritten signature in black ink, appearing to read "Jessicalynn Reyes".

Jessicalynn Reyes
Chief Clerk
Congress of the
Federated States of Micronesia

AN ACT

To amend Public Law No. 21-228, by amending sections 3, 4, 5 and 6 thereof, to change the use and allottee of funds appropriated therein, to fund public projects and social programs for the people of Kosrae, Pohnpei and Chuuk States, and for other purposes.

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

1 Section 1. Section 3 of Public Law No. 21-228 is hereby
2 amended to read as follows:

3 "Section 3. Of the \$2,800,000 appropriated under this
4 act, \$400,000 shall be apportioned for public projects
5 and social programs for the people of Kosrae State.

6 state of Kosrae..... \$ 400,000

7 (1) At Large 200,000

8 (a) Heavy Equipment – Tafunsak

9 Municipal Government 56,000

10 (b) Fishing Project 30,000

11 (c) Malem Drinking Water Tanks 30,000

12 (d) Palusrik, Utwe Farm Road 25,000

13 (e) Medical referral 17,500

14 (f) Lelu River/Channel Clearings ... 30,000

15 (g) Lelu Youth subsidy 11,500

16 (2) Election District No. 1..... 200,000

17 (a) Canoe building project 20,000

18 (b) Funding for a Kosraean

1	student project at the University of	
2	Michigan at Dearborn	\$ 30,000
3	(c) Contribution to Community events,	
4	activities and programs	20,000
5	(d) Farm road in Inkoeya, Tafunsak .	20,000
6	(e) Tuitions and other costs for	
7	a PhD candidate	40,000
8	(f) Travel needs during the Pandemic	
9	for medical reasons	20,000
10	(g) Delegation Scholarship Board subsidy	10,000
11	(h) Scholarships for Kosraean	
12	students studying in Fiji	40,000"
13	Section 2. Section 4 of Public Law No. 21-228 is hereby	
14	amended to read as follows:	
15	"Section 4 Of the \$2,800,000 appropriated under this act,	
16	\$2,000,000 shall be apportioned for public projects and	
17	social programs for the people of Pohnpei State.	
18	state of Pohnpei.....	\$ 800,000
19	(1) At Large.....	200,000
20	(a) Children medical cost assistance	25,000
21	(b) Overseas students subsistence support	25,000
22	(c) Pohnpei Trailways historical	
23	road rehabilitation	25,000
24	(d) Outer islands transportation	
25	cost subsidy	30,000

1	(e) Wone school fencing	\$ 15,000
2	(f) Micronesia Red Cross	
3	equipment purchase	10,000
4	(g) Households water tanks	25,000
5	(h) Community needs/Assessment	45,000
6	(2) Election District No. 1.....	200,000
7	(a) FSM National Olympic	
8	Committee subsidy	15,000
9	(b) PFC Purchase of Marine	
10	repeaters/installation	36,000
11	(c) Pakihn Water Tanks/Materials ...	7,500
12	(d) Outboard motors and boats	10,000
13	(e) Peidie Basketball solar lights .	10,000
14	(f) Sekere road paving (Pentecost) .	20,000
15	(g) Sekere Food Stall	30,000
16	(h) CUYA riding mower/pressure	
17	washer/cleaning equipment/storage	
18	construction materials	25,000
19	(i) Dolon Ladies Auxiliary Group	
20	Transportation and accessories	7,000
21	(j) Tree Cutting project	10,000
22	(k) Sokehs Municipal Government subsidy	12,000
23	(l) Palikir Food Stall expansion ...	10,000
24	(m) COM-FSM students' debts	7,500
25	(3) Election District No. 2.....	200,000

1	(a) Pohn Alap road extension	\$ 35,000
2	(b) Metipw secondary road paving ...	40,000
3	(c) Pwok secondary road	20,000
4	(d) Dien (Wehner Fredrick) secondary road	25,000
5	(e) Wenik secondary road	10,000
6	(f) Dien (Joe Hainrick) secondary road	15,000
7	(g) Olopel secondary road (Mikel David)	15,000
8	(h) Nipai (Wone) road	10,000
9	(i) Nanpei Memorial High School	
10	Principal Office space	5,000
11	(j) Nanpei Memorial High School	
12	Librarian contractual service	5,000
13	(k) Equipment rental	20,000
14	(4) Election District No. 3.....	200,000
15	(a) Drainage construction - Awak Pah	15,000
16	(b) Drainage construction - Awak Perenta	15,000
17	(c) Coral Material	20,000
18	(d) Nett road repair and paving -3 star	30,000
19	(e) Lewetik Nett road repair and paving	30,000
20	(f) Palipowe, Nett road construction	20,000
21	(g) Nett road repair near PUC Dam ..	20,000
22	(h) Nett School needs	10,000
23	(i) Awak School needs	5,000
24	(j) Saladak School needs	5,000
25	(k) Pingelap Municipal Government subsidy	15,000

1 (1) Mwokilloa Municipal Government subsidy 15,000"

2 Section 3. Section 5 of Public Law No. 21-228 is hereby
3 amended to read as follows:

4 "Section 5 Of the \$2,800,000 appropriated under this act,
5 \$1,200,000 shall be apportioned for public projects and
6 social programs for the people of Chuuk State.

7 state of Chuuk..... \$ 1,200,000

8 (1) At Large..... 200,000

9 (a) Contribution to State,

10 Municipal and Community activities, events,

11 and programs 85,000

12 (b) Housing Repair/Renovation 60,000

13 (c) Contribution to FSM Associations

14 or organizations 20,000

15 (d) Land transportation 35,000

16 (2) Election District No. 1..... 200,000

17 (a) Mortlock Islands Development

18 Authority's vessels purchase supplemental . 50,000

19 (b) Mortlocks Substate's projects .. 50,000

20 (c) Boat charters/POL/Freight 50,000

21 (d) Nomonemu Youth Goodwill Games .. 10,000

22 (e) Lekinioj beautification and road

23 improvement project/labor cost 10,000

24 (f) Ta airport cleaning and

25 Maintenance project 10,000

1	(g) Satowan St. Joseph Church	
2	Multipurpose building project	\$ 10,000
3	(h) Tonoas St. Anthony Church	
4	Multipurpose building project	10,000
5	(3) Election District No. 2.....	200,000
6	(a) Housing renovations/improvements	50,000
7	(b) Students' financial assistance .	10,000
8	(c) POL/Freights/Charters	10,000
9	(d) Humanitarian assistance	10,000
10	(e) Fishing projects	35,000
11	(f) Contribution to Youth activities,	
12	events and programs	10,000
13	(g) Land transportation	30,000
14	(h) Municipal Governments' subsidy .	40,000
15	(i) Prior year obligation	5,000
16	(4) Election District No. 3.....	200,000
17	(a) Housing renovations/improvements	55,000
18	(b) Solar Power/Solar freezers/Lighting	
19	system and accessories	40,000
20	(c) Contribution to Municipal	
21	and Community activities, events, and programs	40,000
22	(d) Humanitarian Aid	20,000
23	(e) Office Space rental (current	
24	and prior obligations)	5,000
25	(f) POL/Charters/Freights (current	

1	and prior obligations)	\$	20,000
2	(g) Land transportation		10,000
3	(h) Fishing Projects		10,000
4	(5) Election District No. 4.....		200,000
5	(a) Fishing projects		50,000
6	(b) Housing renovation/repair		50,000
7	(c) Food relief assistance		50,000
8	(d) Solar Freezers		25,000
9	(e) Office rental		25,000
10	(6) Election District No. 5.....		200,000
11	(a) Solar Power System		100,000
12	(b) Municipal activities, events,		
13	and programs		20,000
14	(c) Low Income Housing renovation/		
15	rehabilitation		20,000
16	(d) Food Relief Assistance		20,000
17	(e) Tamatam Land Acquisition		20,000
18	(f) Office Administrative support costs		10,000
19	(g) Musical Instruments		10,000"

20 Section 4. Section 6 of Public Law No. 21-228 is hereby
21 amended to read as follows:

22 "Section 6. Allotment and management of funds and lapse
23 date. All funds appropriated by this act shall be
24 allotted, managed, administered and accounted for in
25 accordance with applicable laws, including, but not

1 limited to, the Financial Management Act of 1979. The
2 allottee shall be responsible for ensuring that these
3 funds, or so much thereof as may be necessary, are used
4 solely for the purpose specified in this act, and that no
5 obligations are incurred in excess of the sum
6 appropriated. The allottee of the funds appropriated
7 under section 2 of this act shall be the Governor of Yap
8 State or his designee. The allottee of funds appropriated
9 under sections 3 and 4 of this act shall be the President
10 of the Federated States of Micronesia or his designee,
11 PROVIDED THAT the allottee of funds appropriated under
12 subsection 3(1) of this act shall be the Governor of
13 Kosrae State or his designee; the allottee of funds
14 appropriated under subsection 3(2) of this act shall be
15 the Mayor of Lelu Town Government or his designee; the
16 allottee of funds appropriated under subsections 4(1) and
17 4(2) of this act shall be the Secretary of the Department
18 of Transportation, Communications and Infrastructure or
19 his designee; EXCEPT THAT the allottee of funds
20 appropriated under subsection 4(1)(b) of this act shall be
21 the Secretary of the Department of Education or his
22 designee; the allottee of funds appropriated under
23 subsection 4(2)(f) of this act shall be the Pohnpei
24 Transportation Authority and the allottee of funds
25 appropriated under subsection 4(2)(m) of this act shall be

1 the President of the COM-FSM; the allottee of funds
2 appropriated under subsection (4)(3) of this act shall be
3 the Pohnpei Transportation Authority; EXCEPT THAT the
4 allottee of funds appropriated under subsections 4(3)(i)
5 and 4(3)(j) of this act shall be the Luhken Menlap of
6 Kitti or his designee; and the allottee of funds
7 appropriated under subsection 4(3)(k) of this act shall be
8 the President of the Federated States of Micronesia of his
9 designee. The allottee of funds appropriated under
10 subsections 4(4)(d) and 4(4)(e) of this act shall be the
11 Pohnpei Transportation Authority; the allottee of funds
12 appropriated under subsection 4(4)(k) of this act shall be
13 the Mayor of Pingelap Municipal Government or his
14 designee. The allottee of funds appropriated under
15 subsection 4(4)(l) of this act shall be the Mayor of
16 Mwokilloa Municipal Government or his designee. The
17 allottee of the funds appropriated under subsections 5(1)
18 and 5(6) of this act shall be the Governor of Chuuk State
19 or his designee; the allottee of the funds appropriated
20 under subsection 5(2) of this act shall be the Mortlocks
21 Island Development Authority (MIDA); the allottee of funds
22 under subsection 5(3) of this act shall be the Mayor of
23 Weno or his designee; the allottee of the funds
24 appropriated under subsection 5(4) of this act shall be
25 the Southern Namoneas Development Authority; the allottee

1 of the funds appropriated under subsection 5(5) of this
2 act shall be the Faichuk Development Authority. The
3 authority of the allottee to obligate funds appropriated
4 by this act shall lapse on September 30, 2023."

5 Section 5. This act shall become law upon approval by the
6 President of the Federated States of Micronesia or upon its
7 becoming law without such approval.

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April 28, 2021

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David W. Panuelo
President
Federated States of Micronesia

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