TWENTY-SECOND CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIFTH REGULAR SESSION, 2022

CONGRESSIONAL BILL NO. 22-236, C.D.1, C.D.2

P.C. NO. 22-355

PUBLIC LAW NO. 22-164

AN ACT

To further amend Public Law No. 19-32, as amended by Public Laws Nos. 19-45, 19-61, 19-83, 19-95, 19-122 and 20-79, by amending sections 1, 9 and 12 thereof, to correct technical errors in Public Law No. 20-79, to change the use of funds previously appropriated therein, and for other purposes.

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

Section 1. Purpose. The purpose of this Act is to change the use of funds previously appropriated in Section 9 of Public Law No. 19-32 (the FY 2016 Budget Bill), as amended by Public Laws Nos. 19-45, 19-61, 19-83, 19-95, 19-122 and 20-79. This Act also corrects technical errors in Public Law No. 20-79; Public Law No. 20-79 accidently omitted many line items previously appropriated therein and this Act reinstates those line items. Most of these items had been fully expended before being omitted in Public Law 20-79, the technical corrections herein are to correct the historical record. This Act appropriates no new funds.

Section 2. Section 1 of Public Law No. 19-32, as amended by Public Laws Nos. 19-45, 19-61, 19-83, 19-95 and 20-79, is hereby further amended to read as follows:

“Section 1. Title. The title of this act is as follows: To appropriate the sum of $80,290,899 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 2016, for the purpose of funding the operations of all branches of the National Government of the Federated States of
Micronesia, its agencies, various programs, grants, subsidies and contributions and Capital and Human Resources Development. The National Government’s share of the Amended Compact funds has been reduced to zero except that the National Government will retain 10 percent of the Supplemental Education Grant funds as is reflected in the budget for the Department of Education. The sum appropriated herein shall be apportioned as follows:"

Section 3. Section 9 of Public Law No. 19-32, as amended by Public Laws Nos. 19-61, 19-83, 19-95, 19-122 and 20-79, is hereby further amended to read as follows:

“Section 9. Capital and Human Resources Development. The sum of $38,184,608, 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, 2016, for the following capital improvements, development programs, and projects and human resources development. Of the total amount of funds appropriated herein, $689,598 shall be deemed to come from funds available under the Amended Compact from the Supplemental Education Grant. The sum appropriated by this section shall be apportioned as follows:

(1) College of Micronesia – FSM.

(a) College of Micronesia–FSM.... $ 3,800,000
(b) FSM Fisheries and Maritime Institute $833,915
(c) COM-FSM SEG $683,948

(2) Department of Finance & Administration
(a) FSM Warehouse Lease & Maintenance $100,000
(b) PCD Awareness Initiative $15,000

(3) Department of Resources & Development
(a) FSM Assn. Chamber of Commerce $67,000
(b) State Trade Fairs enhancing value addition $40,000
(c) SNLC $50,000
(d) FSM Agriculture Census $0
(e) SBDC Capacity Assessment $0
(f) National Trade Facilitation Conference (NTFC) $75,000
(g) Food Security Production $100,000
(h) Secretariat/Hosting conference, equipment, materials $10,000
(i) Foreign Investment Review $0
(j) Implement National Tourism Policy $35,000
(k) Trade Advisory Service $0
(l) Tourism Advisory Service $0
(m) Assistance to States for Tourism Investment Plan Implementation $1,951,201
(n) Phase II Foreign Investment Review $18,278

(4) Department of Transportation,
1 Communications and Infrastructure.

2 (a) Outer Island Airport Improvement $1,500,000

3 (b) Capital Facilities Rehabilitation 500,000

4 (c) Sekere-Palikir Road, Bridge, and Pavement Drainage .................. 300,000

5 (d) Operation & Drydocking Boats .... 2,500,000

6 (e) Caroline Island Air ............... 150,000

7 (f) Chuuk Air Service Agreement..... -0-

8 (g) Equipment replacement for Voyager 211,100

9 (h) Radar Replacement ............... 78,700

10 (i) AIP Matching Funds ............... 3,360,075

11 (j) Installation of water maker on the Voyager ......................... 138,450

12 (k) Internet Pmt. For National Government Complex from April to September 2016 63,710

15 (5) Department of Justice.

17 (a) Patrol boat major maintenance project .......................... 125,000

19 (b) Hosting of PILON Meeting ........ 20,000

20 (c) Humanitarian assistance to detained foreign nationals in the states of Yap and Pohnpei: ..................... 45,000

23 (d) Anti-trafficking in persons & anti-human smuggling .................. 30,000

(6) Department of Environment, Climate Change &
Emergency Management

(a) Fostering Sustainable Solid Waste Mng ............................ $ 125,000

(7) President’s Office

(a) FSM Trust Fund to be distributed equally among the Sub-Accounts of the four FSM states 10,000,000

(b) Staff upgrading ...................... 100,000

(c) 2023 Investment Development Fund -0-

(d) Implementation of ODA Policy ... 50,000

(e) 2016 Development Partners Meeting 75,000

(f) Compact Review Committee ....... 50,000

(g) Purchase of land in Guam for relocation of the Consulate Office, moving expenses and relocation costs .............. 2,000,000

(8) National Election.

(a) National Election (voter ID).... 50,000

(9) Department of Health and Social Affairs

(a) Health Services Specialty Pathologist 50,000

(b) Environmental/water/food/lab test 78,000

(c) Medical Specialized Team ........... 195,000

(d) Health Network ...................... -0-

(e) FSM Women Conference .......... 60,000

(10) Department of Education

(a) NDOE Projects ...................... 395,000

(11) Insurance Board.
(a) Improve and strengthen statutory and regulatory framework ................... $ 29,409
(b) Consultant Site Evaluation...... 99,220

(12) Other Capital and Human Resource Development.

(a) Chuuk State Priority Infrastructure Project apportioned as follows:

(i) 4G network upgrade for main island of Chuuk and mobile extension to the outer islands of Chuuk ................. 1,500,000

(ii) Other Chuuk State Priority Infrastructure Projects ..................... 2,050,000

(iii) Public work/transportation office building ......................... 350,000
(iv) Road improvement............. 175,000
(v) Administrative costs for implementation of the priority projects.... 100,000
(vi) Beautification/projects.... 75,000
(vii) Low Income Household Assistance Program; PROVIDED, HOWEVER, that eligibility is limited to recipients who have not previously received any prior assistance; PROVIDED, FURTHER, that the allottee of these funds shall establish guidelines to ensure that such eligibility criteria are clearly set forth and implemented...... 250,000

(b) Pohnpei State Priority
<table>
<thead>
<tr>
<th></th>
<th>Infrastructure Projects</th>
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<tr>
<td>2</td>
<td>(c) Kosrae State Priority</td>
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<tr>
<td>3</td>
<td>Infrastructure Projects</td>
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<td>4</td>
<td>(d) Yap State Priority</td>
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<td>5</td>
<td>Infrastructure Projects; PROVIDED THAT, the</td>
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<td>6</td>
<td>allottee submits both a plan outlining the</td>
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<td>7</td>
<td>use of the funds and a report detailing the</td>
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<td>8</td>
<td>use of the Priority Infrastructure Project</td>
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<td>9</td>
<td>funds appropriated in FY15</td>
<td>1,750,000</td>
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<td>10</td>
<td>(e) FSM Foreign Mission Repair and Maintenance</td>
<td>300,000</td>
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<td>11</td>
<td>(f) Renovation of the Supreme Court in</td>
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<tr>
<td>12</td>
<td>Kosrae &amp; Chief Justice of Kosrae Travel to</td>
<td>75,000</td>
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<tr>
<td>13</td>
<td>Samoa</td>
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<td>14</td>
<td>(g) Renovation of Chuuk State</td>
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<td>15</td>
<td>Supreme Court</td>
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<td>16</td>
<td>(h) Typhoon Shutters for FSM</td>
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<td>17</td>
<td>Supreme Court in Yap</td>
<td>40,000</td>
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<td>18</td>
<td>(i) Renovation of the Chuuk</td>
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<td>19</td>
<td>Delegation Office</td>
<td>50,000</td>
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<td>20</td>
<td>(j) Foreign Affairs-FSM Contribution</td>
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<td>21</td>
<td>forSPC Hosting</td>
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<td>22</td>
<td>(k) NACH-Pacific Island Festival of</td>
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<td>23</td>
<td>Arts – Pohnpei</td>
<td>50,000</td>
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<td>24</td>
<td>(l) NACH-Pacific Island Festival of</td>
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<tr>
<td>25</td>
<td>Arts – Yap</td>
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<thead>
<tr>
<th></th>
<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>(m) NACH-Pacific Island Festival of Arts – Kosrae</td>
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<td>3</td>
<td>(n) NACH-Pacific Island Festival of Arts – Chuuk</td>
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<td>5</td>
<td>(o) Postal Service prior-obligation.</td>
<td>$ 8,302</td>
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<td>6</td>
<td>(p) Upgrade FSM Congress Internet to Fiber Optic</td>
<td>$ 25,000</td>
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<td>8</td>
<td>(q) Pacific Assoc. of Supreme Audit Institutions Meeting</td>
<td>$ 20,000</td>
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<td>10</td>
<td>(r) Office of Public Defender expenses occurred in prior years</td>
<td>$ 2,900</td>
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<td>12</td>
<td>(s) Past obligations of Postal Service</td>
<td>$ 2,400</td>
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<td>13</td>
<td>(t) Foreign Affairs: Retainer Fee</td>
<td>$ -0-</td>
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Section 4. Section 12 of Public Law No. 19-32, as amended by Public Laws Nos. 19-45 and 19-61, 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 – 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) Section 8(6)(g) – the allottee shall be the President of the College of Micronesia – FSM;

(ii) Section 8(6)(h) through (i) – the allottee of these funds shall be the Governor of the State
(iii) All subsections under Section 8(9) – the allottee of these funds shall be the Speaker of the Congress of the Federated States of Micronesia;

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

(v) Section 8(12)(n) – the allottee of these funds shall be the Speaker of Congress of the Federated States of Micronesia;

(vi) Section 9(1)(a) through (c) – the allottee of these funds shall be the President of the College of Micronesia-FSM;

(vii) Section 9(12)(a)(ii) and (vii) – the allottee of these funds shall be Governor of Chuuk State;

(viii) Section 9(12)(b)-(d) – the allottee of these funds shall be the Governor of the respective states.

(ix) Section 9(12)(f) – the allottee of these funds shall be the Chief Justice of the Kosrae State Supreme Court;

(x) Section 9(12)(g) – the allottee of these funds shall be the Chief Justice of the Chuuk State Supreme Court;

(xi) Section 9(12)(h) – the allottee of these funds shall be the Chief Justice of the Yap Supreme Court;
(xii) Section 9(12)(i) – the allottee of these funds shall be the Chairman of the Chuuk Delegation to the FSM Congress.”

Section 5. 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 20th, 2022

/s/ David W. Panuelo
David W. Panuelo
President
Federated States of Micronesia