



SECRETARIAT FOR THE JOINT COMMITTEE ON COMPACT REVIEW & PLANNING (JCRP)

P.O. Box 2178 · Kolonia, Pohnpei FM 96941
(691) 320-5277 · www.jcrp.gov.fm

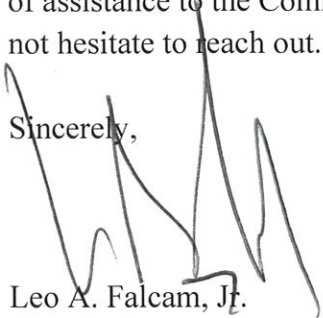
August 1, 2023

Chairman Bruce Westerman (R-AR)
House Natural Resources Committee
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Westerman,

Thank you for the opportunity to testify before the House Natural Resources Indo-Pacific Task Force on July 18, 2023. We are grateful for your leadership and appreciated the opportunity to share our views and provide testimony in support of the Compact of Free Association Amendments Act of 2023. Please find enclosed our written responses to the Committee's questions for the record. If the FSM Government can provide any further information that will be of assistance to the Committee as it considers the Compact implementing legislation, please do not hesitate to reach out.

Sincerely,



Leo A. Falcam, Jr.

Chief Negotiator
Government of the Federated States of Micronesia

Enclosure

Committee on Natural Resources
Indo-Pacific Task Force
Oversight Hearing
1324 Longworth House Office Building
July 18, 2023
10:00 AM

“The Biden Administration’s Proposed Compact of Free Association Amendments Act of 2023”

Questions from Rep. Westerman for Leo A. Falcam, Jr., Chief Compact Negotiator, Federated States of Micronesia.

1. *The Biden administration’s proposal includes provisions to continue support for mutually agreed institutional capacity through assistance and cooperation between the judicial branches of our respective government. Given the importance of independent judiciaries and rule of law in preserving democracy and individual liberties, can you please describe your assessment of the value of the Judicial Training program? In light of the press reports and government actions in the region relating to, and in some cases confirming, criminal malign and corrupt PRC political warfare aggression, are your government prosecutors and law enforcement agencies prepared and do you have the capacity to investigate, prosecute criminal acts of corruption?*

The FSM appreciates the U.S decision to seek funding for judicial training grants for the FSM. Judicial training grants over the last 20 years have been essential for the judicial officers of the FSM, at both the national and FSM State levels, to receive highly professional and effective training from U.S. authorities. This new funding will enable our judiciary to continue to participate in important training programs from the U.S. federal judiciary in key areas, such as training for larger caseloads, engaging in numerous emerging areas of law, and continuing to improve our advancements in the rule of law. This is essential capacity building for our judicial officers, and we are grateful for the U.S. support in helping us develop necessary expertise. We look forward to continuing to participate in this valuable program.

Over the next 20 years, we will also look for opportunities for increased capacity building assistance for our prosecutors and investigators. We have received some assistance from the United Nations Office on Drugs and Crime (UNODC), but this assistance is not consistently funded, and the FSM must compete with all other countries in the region that are also receiving technical assistance from the UNODC. As a result, we are hoping for other opportunities for U.S. assistance in these additional areas. Some of this capacity building for prosecutors and investigators can be funded, for example, through U.S. public sector grant assistance in Section 261 of the 2023 Compact and others through technical assistance to FSM law enforcement as contemplated in Section 102(a) of the U.S. proposed implementing legislation. More generally, the FSM Government will welcome a continuing dialogue with U.S. authorities on additional capacity building for all aspects of our law enforcement infrastructure.

Anti-corruption is one of our Government's highest priorities. Like the United States, we are parties to the UN Convention Against Corruption and the UN Transnational Organized Crime Convention, and have strong domestic anti-corruption laws in place. As noted above, we will benefit from continued capacity building for our judiciary, our prosecutors, and our investigators, to help us ensure that we can vigorously enforce the rule of law. The quality of our prosecution efforts will depend heavily on the level of expertise of all of our law enforcement and judicial personnel.

2. *In your written testimony, you mention that the Department of Defense has an interest in using Yap state's airport and seaport facilities for needed U.S. military operations. From Micronesia's point-of-view, what benefits would this create? Have there been any updates regarding the status of implementing this?*

The FSM is pleased to see an increase in DOD's planned military construction projects in our territory in recent years, including some existing plans for joint use facilities. As the U.S. military knows, the FSM is prepared to do even more in partnership with the U.S. Department of Defense, as contemplated in our Compact of Free Association. These activities and projects serve our critical mutual goals of security, stability, and peace in our region.

The Department of Defense has informed the FSM that it wishes to increase the capacity of Yap State's airport and seaport facilities to ensure that those facilities are able to support U.S. military operations and training whenever needed, and the FSM is cooperating fully with that request. The U.S. is helping to fund improvements to Yap's international airport to ensure it is up to the task and has undertaken improvements and projects throughout the FSM to facilitate capacity for U.S. military exercises/operations and humanitarian assistance response. We are informed that MILCON funding has been identified for specified projects for the Yap airport, and that construction could possibly begin during FY '25, provided that on-going environmental impact and land use requirements are completed. The increased capacity will have benefits both for the U.S. military and for the people of the FSM.

In February 2023, INDOPACOM began surveys for airport designs, port and road environmental work, and airport and port master planning. Authorities from the FSM National Government and the Yap State are cooperating fully in these efforts.

The improvements to Yap Port will increase logistical operational capacity for essential functions that benefit FSM, including disaster response and humanitarian assistance. The dredging will also allow for larger vessels to use the port. These military construction projects will improve the road and transportation access between the airport and the seaport.