A BILL FOR AN ACT

To amend section 504 of title 10 of the Code of the Federated States of Micronesia, to require the transmission of international agreements to Congress for ratification within two years after the Federated States of Micronesia has expressed its consent to be bound by such agreement, and for other purposes.

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

   Section 1. Section 504 of title 10 of the Code of the Federated States of Micronesia, is hereby amended to read as follows:

"Section 504. International Agreements.

   (1) Unless otherwise provided by law, the President, the Secretary of [External Affairs] Foreign Affairs, or their authorized representatives, may, without ratification by Congress, in accordance with the ordinary custom of heads of government, heads of state, or ministers of foreign affairs and in conformity with the Constitution of the Federated States of Micronesia, conclude certain international agreements if the agreements do not involve a delegation of a major power of government of the Federated States of Micronesia to another government and do not involve major financial obligations requiring further appropriation. This subsection shall include only the following types of agreements:
(a) those which implement, carry out, or interpret the terms of a treaty ratified by Congress;
(b) those which implement or carry out the specific provisions of a congressional enactment;
(c) those which are concluded pursuant to congressional authorization; or
(d) those which involve matters falling within the normal scope of executive powers or responsibilities.

(2) The Secretary of External Affairs Foreign Affairs shall transmit a copy of any agreement concluded pursuant to subsection (1) of this section to Congress of the Federated States of Micronesia, together with an explanation of the agreement and the reasons therefore.

(3) Nothing contained in this section shall be construed as diminishing the authority of the President, the Secretary of [External Affairs] Foreign Affairs, or their representatives, to negotiate and conclude international agreements which require ratification by Congress.

(4) The Secretary of Foreign Affairs shall transmit a copy of any international agreement or treaty that requires ratification to Congress within two years of it being concluded or signed by the Federated States of
Micronesia.

If such agreement or treaty is not submitted timely to Congress it shall be deemed rejected.

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.

Date: 2/7/12 Introduced by: /s/ Wesley W. Simina

Wesley W. Simina