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A BILL FOR AN ACT

To give effect to the constitutional provisions of the external affairs responsibilities of the executive branch of the National Government of the Federated States of Micronesia; to provide for definitions, policies, procedures, and regulations for the implementation thereof; and for other purposes.

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

1       Section 1. General responsibilities for external affairs. The  
2 Department of External Affairs, under the direction of the President, is  
3 responsible for the conduct of relations between the National Government  
4 of the Federated States of Micronesia and the State governments; for the  
5 conduct of relations of the Federated States of Micronesia with foreign  
6 governments; governmental, regional, and international organizations, and  
7 quasi-governmental organizations, in accordance with applicable laws,  
8 treaties, regulations, and orders; for advising the President; and for  
9 advising other governmental officials of policies to be observed toward  
10 such other governments and organizations.

11       Section 2. Definitions.

12           (1) "External affairs" refers to foreign affairs as defined in  
13 subsection 3 and in addition refers to the conduct of relations between the  
14 National Government and governments of the States of the Federated States  
15 of Micronesia and the conduct of relations with the Government of the  
16 United States, its subdivisions, and agencies.

17           (2) "External assistance" refers to aid in the nature of money,  
18 goods, and/or services provided by foreign governments; governmental,  
19 regional, or international organizations; or quasi-governmental  
20 organizations.

21           (3) "Foreign affairs" refers to matters of policy of the  
22 Federated States of Micronesia in its relations with foreign governments;  
23 governmental, regional, and international organizations; and quasi-govern-  
24 mental organizations.

25           (4) "Foreign financial assistance" refers to aid in the nature

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1 of money provided by a foreign government; governmental, regional, or  
2 international organization; or quasi-governmental organization.

3 (5) "Foreign governments" refer to the duly established and  
4 recognized governments of sovereign nation-states and the governments of  
5 commonwealths, territories, and other not fully sovereign entities.

6 (6) "Quasi-governmental organization" refers to an organization  
7 associated with a national government, or an organization representing the  
8 interests of several nations, which has the authority to conduct governmental  
9 affairs within prescribed limitations, but does not have the authority to  
10 obligate the sovereign powers of the nation or nations.

11 (7) "Treaty" refers to an international agreement concluded  
12 between states in written form and governed by international law, whether  
13 embodied in a single instrument or in two or more related instruments and  
14 whatever its particular designation.

15 Section 3. Duties and responsibilities of the Department of External  
16 Affairs. The Department of External Affairs of the National Government of  
17 the Federated States of Micronesia shall have the following duties and  
18 responsibilities in accordance with National law and policy:

19 (1) Formulation of foreign affairs policies for review and  
20 approval or disapproval by the President;

21 (2) Execution of foreign affairs policies of the Federated  
22 States of Micronesia approved by the President;

23 (3) Conduct of foreign affairs for all levels of government  
24 within the Federated States of Micronesia;

25 (4) Conduct of relations between the National and State

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1 Governments of the Federated States of Micronesia;

2 (5) Conduct of relations between the Federated States of Micro-  
3 nesia and the Government of the United States of America, including its  
4 subdivisions and agencies, and the Government of the Trust Territory of the  
5 Pacific Islands;

6 (6) Conduct of trade relations between the Federated States of  
7 Micronesia and foreign governments; governmental, regional, and international  
8 organizations; and quasi-governmental organizations;

9 (7) Establishment abroad of such liaison and diplomatic offices  
10 of the National Government of the Federated States of Micronesia as may be  
11 necessary;

12 (8) Initiation of all formal investigations and requests for  
13 external assistance and coordination and negotiation of acceptance of all  
14 offers of such assistance; and

15 (9) Coordination of missions abroad by National and State  
16 Government officials and employees, and communications relating thereto  
17 with foreign governments; governmental, regional, and international  
18 organizations; and quasi-governmental organizations.

19 Section 4. International agreements. The President, without ratifi-  
20 cation by the Congress, in accordance with the ordinary custom of heads of  
21 government or heads of state and in conformity with the Constitution of the  
22 Federated States of Micronesia, may conclude certain international agree-  
23 ments if he does not incur major financial obligations requiring appro-  
24 priation. These include only the following types of agreements:

25 (1) Those which implement or carry out the terms of a treaty

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1 ratified by Congress;

2 (2) Those which carry out the specific requirements of a  
3 congressional enactment; and

4 (3) Those which are made by the President pursuant to his  
5 constitutional powers as Chief Executive.

6 Section 5. Authority to establish policies and procedures. The  
7 Secretary of External Affairs of the National Government of the Federated  
8 States of Micronesia is hereby authorized to establish and promulgate  
9 written policies and procedures for the purpose of effectuating the duties  
10 and responsibilities of the department.

11 Section 6. Regulations. The President is hereby authorized to  
12 promulgate regulations implementing the provisions of this act, which  
13 regulations shall have the force and effect of law.

14 Section 7. Effective date. This act shall become law upon approval  
15 by the President of the Federated States of Micronesia or upon its becoming  
16 law without such approval.

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18 Date: 5/15/85

Introduced by:

Isaac V. Figir

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