

EX. OFF.

4-132

A BILL FOR AN ACT

To further amend Public Law No. 2-54, as amended by Public Law No. 3-1, for the purpose of adding a new chapter 7 to provide for resubmission of the Compact of Free Association to a plebiscite, the legislatures of the States of the Federated States of Micronesia, and the Congress of the Federated States of Micronesia, in the event that the United States unilaterally and materially alters the Compact in a manner detrimental to the Federated States of Micronesia, and for other purposes.

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

Section 1. Public Law No. 2-54 is hereby further amended by adding a new chapter 7 to read as follows:

"CHAPTER 7

Section 701. Additional findings. The Congress of the Federated States of Micronesia finds that:

(1) The Federated States of Micronesia has ratified and approved the Compact of Free Association pursuant to the processes described in the preceding chapters of this act.

(2) As of the date of passage of the congressional bill containing these findings, it appears very possible that the United States Congress will unilaterally amend the Compact in a manner which will materially alter it in a manner detrimental to the Federated States of Micronesia.

(3) These possible amendments could make the amended Compact so different from the Compact ratified and approved by the Federated States of Micronesia, that the prior ratification and approval would no longer be valid.

(4) Because of this possibility, it is necessary to provide by law a means by which it can be determined if such material alterations have taken place, and a means by which the amended Compact could be either ratified and approved or rejected by the Federated States of Micronesia.

Section 702. Determination of material alteration. The Compact will be determined to have been materially altered to the detriment of the Federated States of Micronesia for purposes

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1 of this chapter if, at any time within 90 days after completion
2 of the United States' ratification and approval of the Compact,
3 any two of the following occur:

4 (1) The President of the Federated States of Micronesia
5 transmits a Presidential Communication to the Congress of the
6 Federated States of Micronesia, stating that such material
7 detrimental alterations have been made; or

8 (2) The Congress of the Federated States of Micronesia
9 adopts a resolution stating that the Congress finds that such
10 material detrimental alterations have been made; or

11 (3) The Governors of at least two States of the
12 Federated States of Micronesia transmit to the Congress of the
13 Federated States of Micronesia an official communication stating
14 that they believe such materially detrimental alterations have
15 been made; or

16 (4) The legislatures of at least two States of the
17 Federated States of Micronesia adopt resolutions stating that
18 such materially detrimental alterations have been made, and
19 transmit these resolutions to the Congress of the Federated
20 States of Micronesia.

21 Section 703. Resubmission of Compact. If, pursuant to section
22 702 of this act, it is determined that the Compact has been
23 materially altered by the United States in a manner detrimental
24 to the Federated States of Micronesia, the Compact must be
25 resubmitted to the voters of the Federated States of Micronesia,

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1 the State legislatures, and the Congress of the Federated
2 States of Micronesia for reapproval. The President and the
3 Congress of the Federated States of Micronesia will act with
4 all due speed in order to bring about such resubmission in a
5 manner consistent with that described in previous chapters
6 of this act.

7 Section 704. Effective date. This act shall become law upon
8 approval by the President of the Federated States of Micronesia
9 or upon its becoming law without such approval."

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11 Date: July 24, 1985

Introduced by: Isaac V. Figir
Isaac V. Figir
Jack Fritz
Alan H. Leoma
W. S. Sauer
Claude H. Phillips
Sam Christy
Phil Loney
Stands