A BILL FOR AN ACT

To further amend title 10 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-97, 6-50 and 6-51, by further amending section 503, as amended by Public Law No. 6-51, for the purpose of prohibiting the Government of the Federated States of Micronesia from engaging in any international agreement or treaty which will not expire before the end of the Compact period, and for other purposes.

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

1 Section 1. Section 503 of title 10 of the Code of the Federated
2 States of Micronesia, as amended by Public Law No. 6-51, is hereby
3 further amended to read as follows:

4 "Section 503. Foreign affairs duties and responsibilities
5 of the Secretary of External Affairs.
6
7 (1) The Secretary of External Affairs of the National
8 Government of the Federated States of Micronesia, subject
9 to the ultimate authority of the President, shall have the
10 following duties and responsibilities to be exercised in
11 accordance with applicable National laws, treaties,
12 regulations, and orders:
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14 (a) formulation of foreign affairs policies for
15 review and approval or disapproval by the President;
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17 (b) execution of foreign affairs policies of the
18 Federated States of Micronesia approved by the President;
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20 (c) conduct of foreign affairs for all levels of
21 government within the Federated States of Micronesia;
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23 (d) establishment abroad of such diplomatic
24 missions and representative, consular, and such other
25 offices of the National Government of the Federated States
26 of Micronesia as may be necessary and supervision of the
27 heads and staff of such missions and offices and other
28 National Government officials or staff assigned to or
29 connected with such missions or offices;
30
31 (e) initiation of official inquiries or requests
for foreign assistance and coordination and negotiation of
acceptance of all offers of such assistance;

(f) coordination of visiting missions abroad by
National and State Governments, and communications relating
thereto with foreign governments, governmental regional and
international organizations, and quasi-governmental
organizations;

(g) coordination of the activities of visiting
missions to the Federated States of Micronesia by officials
and employees of foreign governments, governmental regional
and international organizations, and quasi-governmental
organizations, and communications relating thereto with
such governments and organizations;

(h) in accordance with the ordinary principles
of international law and the ordinary custom of ministers
of foreign affairs, receive heads of missions and
representatives to be accredited to the Federated States of
Micronesia; and accept, approve, or consent to the
assignment of members of the staff to any permanent mission
or other office of a foreign government, a governmental
regional or international organization, or a
quasi-governmental organization that will be located in the
Federated States of Micronesia or the assignment of a
representative from such government or organization; and,
when appropriate, declare such persons persons non grata or
 unacceptable; and

  (1) exercise of full powers to represent the
Federated States of Micronesia in negotiating, adopting or
authenticating the text of a treaty, for expressing the
consent of the Federated States of Micronesia to be bound
by a treaty, or for accomplishing any other act with
respect to a treaty except that the Government of the
Federated States of Micronesia shall not propose, submit,
negotiate, sign, ratify or otherwise enter into any
international agreement or treaty which does not by its
terms expire before the end of the period of the Compact of
Free Association with the United States.

  (2) The Secretary of External Affairs may authorize
other officials and employees of the Department of External
Affairs to act on his behalf in carrying out specific
duties and responsibilities provided for in subsection (1)
of this section and in section 504 and may authorize other
National or State Government officials to act on his behalf
with respect to such matters as he may from time to time
deem appropriate.

  (3) The Deputy Secretary of External Affairs shall
exercise the duties and responsibilities of the Secretary
of External Affairs in his absence or in the event the
Secretary of External Affairs dies, resigns, or is unable
to discharge the duties and responsibilities of his office

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as determined by the President. Notwithstanding section 208 of title 2 of this Code, if the office of the Secretary becomes vacant and the office of Deputy Secretary is not vacant, the Deputy Secretary shall assume the duties and responsibilities of the Secretary until a successor to the Secretary has been confirmed by Congress. This subsection shall not apply if the Deputy Secretary is prohibited from assuming these duties and responsibilities pursuant to section §§ 502 of title 3 of this Code."

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: 10-11-93

Introduced by: Dochais Halbert