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A RESOLUTION

Approving a "Compact of Free Association" between the Government of the Federated States of Micronesia and the Government of the United States of America, 10 other agreements, and a document entitled "Approval by the National Government of the Federated States of Micronesia of Certain Defense Related Activities to be Conducted by the Government of the United States in the Exercise of its Authority and Responsibility for Security and Defense Pursuant to Title Three of the Compact of Free Association."

1           WHEREAS, on October 1, 1982, the Government of the Federated States  
2 of Micronesia and the Government of the United States of America executed  
3 a Compact of Free Association and seven related agreements; and

4           WHEREAS, on October 1, 1982, the Government of the Federated States  
5 of Micronesia and the Government of the United States of America executed  
6 the "Agreement between the Government of the United States of America and  
7 the Government of the Federated States of Micronesia Regarding Aspects of  
8 the Marine Sovereignty and Jurisdiction of the Federated States of  
9 Micronesia"; and

10           WHEREAS, on October 1, 1982, the Government of the Federated States  
11 of Micronesia and the Government of the United States of America executed  
12 the "Agreement Between The Government of the United States and The Govern-  
13 ment of the Federated States of Micronesia Regarding Friendship, Cooperation  
14 and Mutual Security Concluded Pursuant to Sections 321 and 323 of the  
15 Compact of Free Association"; and

16           WHEREAS, on October 1, 1982, the Government of the Federated States  
17 of Micronesia and the Government of the United States of America executed  
18 an exchange of notes relating to a document entitled "Approval by the  
19 National Government of the Federated States of Micronesia of Certain Defense  
20 Related Activities to be Conducted by the Government of the United States  
21 in the Exercise of its Authority and Responsibility for Security and  
22 Defense Pursuant to Title Three of the Compact of Free Association," as  
23 required under section 2 of article XIII of the Constitution of the  
24 Federated States of Micronesia; and

25           WHEREAS, on February 15, 1983, the Government of the Federated States

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1 of Micronesia and the Government of the United States of America agreed to  
2 various technical and other revisions to the Compact of Free Association  
3 and its related agreements; and

4 WHEREAS, on June 15, 1983, and June 16, 1983, respectively, the  
5 Government of the Federated States of Micronesia and the Government of the  
6 United States of America executed an additional related agreement to the  
7 Compact of Free Association entitled "Agreement Concerning Procedures for  
8 the Implementation of United States Economic Assistance, Programs, and  
9 Services Provided in the Compact of Free Association"; and

10 WHEREAS, on June 17, 1983, the Government of the Federated States of  
11 Micronesia agreed with the Government of the United States of America to  
12 a revised paragraph 7 of article X of the "Federal Programs and Services  
13 Agreement Concluded Pursuant to Article II of Title Two and Section 232  
14 of the Compact of Free Association"; and

15 WHEREAS, section 411 of the Compact of Free Association provides that  
16 the Compact shall come into effect upon mutual agreement between the  
17 Government of the United States of America and the Government of the  
18 Federated States of Micronesia, subsequent to approval of the Compact by  
19 the citizens of the Federated States of Micronesia in a plebiscite,  
20 approval of the Compact by the Federated States of Micronesia in accordance  
21 with its constitutional processes, and approval of the Compact by the  
22 Government of the United States of America in accordance with its con-  
23 stitutional processes; and

24 WHEREAS, on June 21, 1983, a plebiscite on future political status  
25 was held in the Federated States of Micronesia, in accordance with the

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1 provisions of Public Law No. 2-54 and sections 411 and 412 of the Compact  
2 of Free Association; and

3 WHEREAS, on July 12, 1983, the Plebiscite Commission established by  
4 Public Law No. 2-54 certified the following final results of the  
5 June 21, 1983, plebiscite;

6 Part One of the Official Ballot

7 20,121 "Yes" votes, approving the Compact of Free Association  
8 and its related agreements

9 5,348 "No" votes, disapproving the Compact of Free Association  
10 and its related agreements

11 Part Two of the Official Ballot

12 13,924 Votes for "Independence"

13 5,184 Votes for "A Relationship with the United States after  
14 the Trusteeship ends, other than Free Association"; and

15 WHEREAS, on July 13, 1983, the President of the Federated States of  
16 Micronesia determined, based on the certification of the final results  
17 made by the Plebiscite Commission, that a majority of the ballots validly  
18 cast in the plebiscite were in favor of approving the Compact of Free  
19 Association and the other agreements; and

20 WHEREAS, the Congress of the Federated States of Micronesia finds  
21 that the plebiscite was conducted in such a manner as to represent a free  
22 and voluntary choice by the citizens of the Federated States of Micro-  
23 nesia of their future political status and relationship with the Govern-  
24 ment of the United States through informed and democratic processes; and

25 WHEREAS, section 4 of article IX of the Constitution of the Federated

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1 States of Micronesia requires that a treaty be ratified by two-thirds of  
2 the Members of the Congress of the Federated States of Micronesia and that  
3 a treaty delegating major powers of government of the Federated States of  
4 Micronesia to another government be, in addition, approved by the legis-  
5 latures of two-thirds of the States of the Federated States of Micronesia;  
6 and

7 WHEREAS, section 401 of Public Law No. 2-54 requires that the Compact  
8 of Free Association and the 10 other agreements be submitted to the four  
9 State legislatures for approval or disapproval; and

10 WHEREAS, on \_\_\_\_\_, the President of the Federated States of  
11 Micronesia issued a proclamation stating that he had determined that the  
12 Compact of Free Association and the other agreements had been approved by  
13 a majority in the legislatures of two-thirds of the States of the  
14 Federated States of Micronesia; and

15 WHEREAS, section 2 of article XIII of the Constitution of the Fed-  
16 erated States of Micronesia prohibits the testing, storage, use, or dis-  
17 posal of radioactive, toxic chemical, or other harmful substances within the  
18 jurisdiction of the Federated States of Micronesia without the express approval  
19 of the National Government of the Federated States of Micronesia; and

20 WHEREAS, in the October 1, 1982, exchange of notes referenced above,  
21 the Government of the Federated States of Micronesia has agreed to submit  
22 the document entitled "Approval by the National Government of the Federated  
23 States of Micronesia of Certain Defense Related Activities to be Conducted  
24 by the Government of the United States in the Exercise of its Authority and  
25 Responsibility for Security and Defense Pursuant to Title Three of the

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1 Compact of Free Association" to its constitutional processes, so that it  
2 will come into effect simultaneously with the Compact of Free Association;  
3 now, therefore,

4 BE IT RESOLVED by the Third Congress of the Federated States of  
5 Micronesia, First Special Session, 1983, that the "Compact of Free Association"  
6 is hereby approved; and

7 BE IT FURTHER RESOLVED that the following agreements entered into by  
8 the Government of the Federated States of Micronesia and the Government of  
9 the United States of America are hereby approved:

10 (1) "Agreement Regarding the Military Use and Operating Rights  
11 of the Government of the United States of America in the Federated States  
12 of Micronesia Concluded Pursuant to Sections 227, 321, and 323 of the  
13 Compact of Free Association";

14 (2) "Status of Forces Agreement Concluded Pursuant to  
15 Section 323 of the Compact of Free Association";

16 (3) "Federal Programs and Services Agreement Concluded  
17 Pursuant to Article II of Title Two and Section 232 of the Compact of  
18 Free Association";

19 (4) "Agreement on Extradition, Mutual Assistance in Law  
20 Enforcement Matters and Penal Sanctions Concluded Pursuant to Section 175  
21 of the Compact of Free Association";

22 (5) "Agreement Regarding the Provision of Telecommunication  
23 Services by the Government of the United States to Palau and  
24 the Federated States of Micronesia Concluded Pursuant to Section 131 of  
25 the Compact of Free Association";

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1 (6) "Agreement Regarding the Operation of Telecommunication  
2 Services of the Government of the United States in Palau, the Marshall  
3 Islands, and the Federated States of Micronesia Concluded Pursuant to  
4 Section 132 of the Compact of Free Association";

5 (7) "Agreement Concluded Pursuant to Section 234 of the  
6 Compact of Free Association"; and

7 (8) "Agreement Concerning Procedures for the Implementation  
8 of United States Economic Assistance, Programs and Services Provided in  
9 the Compact of Free Association"; and

10 BE IT FURTHER RESOLVED that the "Agreement Between The Government of  
11 the United States and The Government of the Federated States of Micronesia  
12 Regarding Friendship, Cooperation and Mutual Security Concluded Pursuant  
13 to Sections 321 and 323 of the Compact of Free Association" is hereby  
14 approved; and

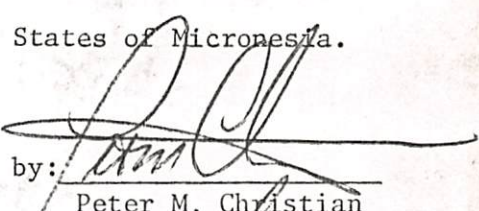
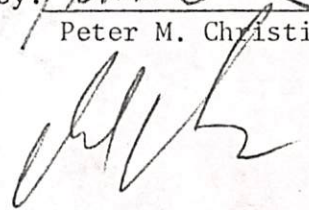
15 BE IT FURTHER RESOLVED that the "Agreement between the Government of  
16 the United States of America and the Government of the Federated States of  
17 Micronesia Regarding Aspects of the Marine Sovereignty and Jurisdiction of  
18 the Federated States of Micronesia" is hereby approved; and

19 BE IT FURTHER RESOLVED that, pursuant to section 2 of article XIII  
20 of the Constitution of the Federated States of Micronesia, the document  
21 entitled "Approval by the National Government of the Federated States of  
22 Micronesia of Certain Defense Related Activities to be Conducted by the  
23 Government of the United States in the Exercise of its Authority and  
24 Responsibility for Security and Defense Pursuant to Title Three of the  
25 Compact of Free Association" is hereby approved; and

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1 BE IT FURTHER RESOLVED that a certified copy of this resolution  
2 be transmitted to the President of the Federated States of Micronesia.

3  
4 Date: August 31, 1983

Introduced by:   
Peter M. Christian  


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