

EX AFF

A BILL FOR AN ACT

To further amend title 10 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-97, by amending section 503 for the purpose of establishing and defining the duties of the offices of honorary consul for the Federated States of Micronesia in Honolulu, Hawaii and the U.S Territory of Guam, 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 is hereby amended to read as follows:

3 "Section 503. Foreign affairs duties and responsibilities
4 of the Secretary of External Affairs.

5 (1) The Secretary of External Affairs of the National
6 Government of the Federated States of Micronesia, subject
7 to the ultimate authority of the President, shall have the
8 following duties and responsibilities to be exercised in
9 accordance with applicable National laws, treaties,
10 regulations, and orders:

11 (a) formulation of foreign affairs policies for
12 review and approval or disapproval by the President;

13 (b) execution of foreign affairs policies of the
14 Federated States of Micronesia approved by the President;

15 (c) conduct of foreign affairs for all levels of
16 government within the Federated States of Micronesia;

17 (d) establishment abroad of such diplomatic
18 missions and representative, consular, and such other
19 offices of the National Government of the Federated States
20 of Micronesia as may be necessary and supervision of the
21 heads and staff of such missions and offices and other
22 National Government officials or staff assigned to or
23 connected with such missions or offices, PROVIDED that, the
24 offices of the representatives of the National Government of
25 the Federated States of Micronesia for external affairs

1 activities in the United States Territory of Guam and the
2 State of Hawaii shall be held by part-time, honorary
3 consuls and shall be subdivisions of the Embassy of the
4 Federated States of Micronesia in Washington, D.C.;

5 (e) initiation of official inquiries or requests
6 for foreign assistance and coordination and negotiation of
7 acceptance of all offers of such assistance;

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

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

19 (h) in accordance with the ordinary principles
20 of international law and the ordinary custom of ministers
21 of foreign affairs, receive heads of missions and
22 representatives to be accredited to the Federated States
23 of Micronesia; and accept, approve, or consent to the
24 assignment of members of the staff to any permanent
25 mission or other office of a foreign government, a

1 governmental regional or international organization, or a
2 quasi-governmental organization that will be located in
3 the Federated States of Micronesia or the assignment of a
4 representative from such government or organization; and,
5 when appropriate, declare such persons persona non grata or
6 unacceptable; and

7 (1) exercise of full powers to represent the
8 Federated States of Micronesia in negotiating, adopting or
9 authenticating the text of a treaty, for expressing the
10 consent of the Federated States of Micronesia to be bound
11 by a treaty, or for accomplishing any other act with
12 respect to a treaty.

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

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

1 as determined by the President. Notwithstanding section
 2 208 of title 2 of this Code, if the office of the
 3 Secretary becomes vacant and the office of Deputy Secretary
 4 is not vacant, the Deputy Secretary shall assume the duties
 5 and responsibilities of the Secretary until a successor to
 6 the Secretary has been confirmed by Congress. This sub-
 7 section shall not apply if the Deputy Secretary is
 8 prohibited from assuming these duties and responsibilities
 9 pursuant to section 505 of title 3 of this Code.

10 *(4) The Secretary of External Affairs may authorize*
 11 *the Federated States of Micronesia Representative appointed*
 12 *and confirmed pursuant to section 101 of this title to use*
 13 *the title (Ambassador) when appropriate in representing the*
 14 *Federated States of Micronesia on foreign affairs matters*
 15 *before foreign governments and governmental regional and*
 16 *international organizations."*

17 Section 2. This act shall take effect 90 days after becoming
 18 law.

19 Section 3. This act shall become law upon approval by the
 20 President of the Federated States of Micronesia or upon its becoming
 21 law without such approval.

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 23 Date: 11-24, 1989

Introduced by: *Leo A. Falcam*
 Leo A. Falcam

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