

EXAFF

TENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1998

C. B. NO. 10-335

A BILL FOR AN ACT

To amend Public Law No. 10-11 by amending sections 1, 2, 3, 4, and 5, to add the role of renegotiating the Compact of Free Association with the United States of America to the responsibilities of the Joint Committee on Compact Economic Negotiations, to designate the Executive Director of the Secretariat a member of the Joint Committee on Compact Economic Negotiations, and for other purposes.

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

1 Section 1. Section 1 of Public Law No. 10-11 is hereby
2 amended to read as follows:

3 "Section 1. Purpose. In preparation for the Compact
4 of Free Association negotiations scheduled to
5 commence in November, 1999, there is hereby
6 established a joint committee. The joint committee
7 shall also be empowered to renegotiate the Compact of
8 Free Association with the United States of America."

9 Section 2. Section 2 of Public Law No. 10-11 is hereby
10 amended to read as follows:

11 "Section 2. Establishment of the Joint Committee on
12 Compact Economic Negotiations. There is hereby
13 created and established a joint committee to be known
14 as the Joint Committee on Compact Economic
15 Negotiations (JCN), comprising nine members as
16 follows: one representative from each of the four
17 States, as appointed by the President in consultation
18 with the leadership of each State, and four
19 representatives from the Congress of the Federated
20 States of Micronesia, one from each congressional
21 delegation. One member shall be the Secretary of
22 External Affairs. He shall chair the Joint
23 Committee's first meeting, and organize the election
24 of its Chairman and Vice Chairman. Six of the
25 members shall constitute a quorum for the transaction

1 of business. Decisions shall be made within the
2 Committee by at least five concurring votes, with
3 each participating member casting a single vote."

4 Section 3. Section 3 of Public Law No. 10-11 is hereby
5 amended to read as follows:

6 "Section 3. Meetings. The Joint Committee on
7 Compact Economic Negotiations shall hold its first
8 meeting at the call of the acting Chairman.

9 Subsequent meetings shall be held in accordance with
10 a schedule set by the Joint Committee [~~covering the~~
11 ~~entire period between the first meeting and the~~
12 ~~commencement of the Compact economic negotiations in~~
13 ~~November 1999~~]."

14 Section 4. Section 4 of Public Law no. 10-11 is hereby
15 amended to read as follows:

16 "Section 4. Mandate. The Joint Committee on Compact
17 Economic Negotiations shall carry out the following
18 responsibilities and obligations:

19 (1) In consultation with the Congress, set
20 goals and objectives for the Compact of Free
21 Association negotiations;

22 (2) Conduct a thorough analysis of all factors
23 relating to the Compact of Free Association
24 negotiations;

25 (3) Develop all necessary strategies and

1 approaches to enable to the Federated States of
2 Micronesia to commence negotiating with the United
3 States in November, 1999;

4 (4) Direct its Secretariat in preparing the
5 documentation necessary to accomplish its
6 responsibilities hereunder;

7 (5) Analyze all economic information available
8 on the Federated States of Micronesia, with the aim
9 of identifying the FSM's continuing requirement for
10 reasonable, fair, and effective financial assistance
11 from the United States of America from the year 2001
12 onward;

13 (6) Provide reports periodically to the
14 Congress at each regular session, and to the Office
15 of the President, on all developments, actual or
16 potential, positive or negative, that may be related
17 to the renegotiation of the Compact of Free
18 Association, including, but not limited to, new
19 information, actions, communications, domestic and
20 foreign policies, bilateral and multilateral plans,
21 as well as periodic surveys exploring the value of
22 net benefits to a foreign nation from an exclusive
23 security prerogative; [and]

24 [~~(7) Collaborate with the State governments,~~
25 ~~the Department of External Affairs, the Congress, and~~
26 ~~the Office of the President in identifying the~~
27 ~~nominees for the team of negotiators whose selection~~

1 ~~will be subject to Congress's express approval;~~
2 ~~approved nominees will represent the FSM in the~~
3 ~~bilateral Compact of Free Association negotiations;~~
4 ~~and]~~

5 (7) Conduct negotiations on the Compact of Free
6 Association with the United States of America. A
7 negotiating team or teams appropriate to
8 circumstances that shall arise shall be constituted
9 from time to time from within and by the Joint
10 Committee on Compact Economic Negotiations. All
11 actions taken or decisions made by a negotiating team
12 shall be provisional and subject to confirmation by
13 the Joint Committee on Compact Economic Negotiations;
14 and

15 (8) Use funds for each separate category of
16 expense only up to the aggregate amount of the line-
17 items of the corresponding expense category set out
18 in the associated appropriations bill or bills
19 approved by Congress, and select and hire the
20 personnel needed to staff the Secretariat, as
21 specified in section 5 below."

22 Section 5. Section 5 of Public Law No. 10-11 is hereby
23 amended to read as follows:

24 "Section 5. Establishment of the Secretariat. There
25 is hereby created and established a full-time

1 Secretariat for the Joint Committee on Compact
2 Economic Negotiations. The Secretariat shall consist
3 of an Executive Director, [~~an Administrative~~
4 ~~Officer,~~] a Deputy Director, a Research Associate, a
5 staff Counsel, and a secretary, all based in Pohnpei.
6 The Executive Director shall direct the Secretariat
7 in carrying out the responsibilities described below,
8 and shall serve as a voting ex officio member of the
9 Joint Committee on Compact Economic Negotiations. In
10 addition to the Secretariat, the work of the Joint
11 Committee shall also be supported by existing
12 Washington D.C. based legal counsel. The Secretariat
13 shall have the following responsibilities[~~7~~]:

14 (1) Provide all administrative and logistical
15 support to the Joint Committee on Compact Economic
16 Negotiations, and shall:

17 (a) prepare an annual budget for approval
18 by the Joint Committee[~~7~~];

19 (b) transmit an approved budget to the
20 President to submit it, with comments, to the
21 Congress of the Federated States of Micronesia for
22 approval at least ten days in advance of the first
23 regular session of each year;

24 (2) Carry out research on relevant Compact of
25 Free Association issues;

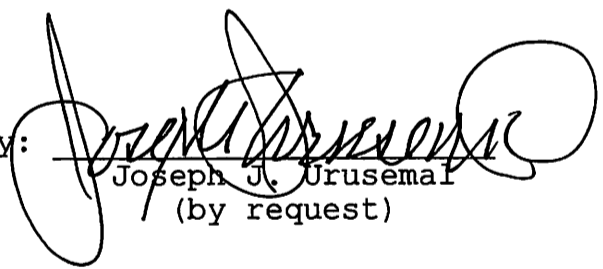
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(3) Coordinate with the various departments, offices and agencies of the FSM and State Governments to collect all information and technical input necessary for satisfying its responsibilities and for establishing negotiating objectives as to provisions of the Compact of Free Association and the [R]related agreements that bear upon their respective areas of responsibilities; and

(4) As directed by the Joint Committee on Compact Economic Negotiations, hire professionals including an outside developmental economist and other consultants with expertise in security or defense policy to assist the Joint Committee with any aspect of its responsibilities, particularly that provided under section 4(5) above."

Section 6. 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: 11/19/98

Introduced by: 
Joseph J. Urusemal
(by request)