

A BILL FOR AN ACT

To further amend title 10 of the Code of the Federated States of Micronesia, as amended, by amending section 503 thereof to require the Secretary of Foreign Affairs to provide an annual report to the President and Congress in relation to each consular office abroad, 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
2 Federated States of Micronesia, as amended by Public Law No. 6-51,
3 is hereby further amended to read as follows:

4 "Section 503. Foreign affairs duties and
5 responsibilities of the Secretary of [~~External~~] Foreign
6 Affairs.

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

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

16 (b) execution of foreign affairs policies of the
17 Federated States of Micronesia approved by the
18 President;

19 (c) conduct of foreign affairs for all levels of

1 government within the Federated States of Micronesia;

2 (d) establishment abroad of such diplomatic
3 missions and representative, consular, and such other
4 offices of the National Government of the Federated
5 States of Micronesia as may be necessary and supervision
6 of the heads and staff of such missions and offices and
7 other National Government officials or staff assigned to
8 or connected with such missions or offices;

9 (e) initiation of official inquiries or requests
10 for foreign assistance and coordination and negotiation
11 of acceptance of all offers of such assistance;

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

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

24 (h) in accordance with the ordinary principles of
25 international law and the ordinary custom of ministers

1 of foreign affairs, receive heads of missions and
2 representatives to be accredited to the Federated States
3 of Micronesia; and accept, approve, or consent to the
4 assignment of members of the staff to any permanent
5 mission or other office of a foreign government, a
6 governmental regional or international organization, or
7 a quasi-governmental organization that will be located
8 in the Federated States of Micronesia or the assignment
9 of a representative from such government or
10 organization; and, when appropriate, declare such
11 persons persona non grata or unacceptable; and

12 (i) exercise of full powers to represent the
13 Federated States of Micronesia in negotiating, adopting
14 or authenticating the text of a treaty, for expressing
15 the consent of the Federated States of Micronesia to be
16 bound by a treaty, or for accomplishing any other act
17 with respect to a treaty.

18 (2) In respect of any consular office established in
19 accordance with paragraph (1)(d) of this section, or
20 otherwise, the Secretary shall provide an annual report
21 to the President and Congress by no later than September
22 30 of each year, containing statistical information
23 about citizens of the Federated States of Micronesia who
24 reside within each consulate's area of responsibility
25 including:

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- 1 (i) the total number of such citizens;
2 (ii) the number attending school;
3 (iii) the number who are employed;
4 (iv) the number who are in jail;
5 (v) the number who have died in the
6 preceding year; and
7 (vi) any additional information that the
8 Secretary considers relevant.

9 ~~[-(2)-]~~ (3) The Secretary of ~~[External]~~ Foreign Affairs may
10 authorize other officials and employees of the
11 Department of ~~[External]~~ Foreign Affairs to act on his
12 behalf in carrying out specific duties and
13 responsibilities provided for in subsection (1) of this
14 section and in section 504 of this chapter and may
15 authorize other National or State Government officials
16 to act on his behalf with respect to such matters as he
17 may from time to time deem appropriate.

18 ~~[-(3)-]~~ (4) The Deputy Secretary of ~~[External]~~ Foreign
19 Affairs shall exercise the duties and responsibilities
20 of the Secretary of ~~[External]~~ Foreign Affairs in his
21 absence or in the event the Secretary of ~~[External]~~
22 Foreign Affairs dies, resigns, or is unable to discharge
23 the duties and responsibilities of his office as
24 determined by the President. Notwithstanding section
25 208 of title 2 of this Code, if the office of the

1 Secretary becomes vacant and the office of Deputy
2 Secretary is not vacant, the Deputy Secretary shall
3 assume the duties and responsibilities of the Secretary
4 until a successor to the Secretary has been confirmed by
5 Congress. This subsection shall not apply if the Deputy
6 Secretary is prohibited from assuming these duties and
7 responsibilities pursuant to section 502 of title 3 of
8 this Code."

9 Section 2. This act shall become law upon approval by the
10 President of the Federated States of Micronesia or upon its
11 becoming law without such approval.

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13 Date: 1/17/05

Introduced by: /s/ Sabino S. Asor
Sabino S. Asor

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