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:

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

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

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

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

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

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

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

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 persona non grata or unacceptable; and

(i) 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.

(2) In respect of any consular office established in accordance with paragraph (1)(d) of this section, or otherwise, the Secretary shall provide an annual report to the President and Congress by no later than September 30 of each year, containing statistical information about citizens of the Federated States of Micronesia who reside within each consulate’s area of responsibility including:
(i) the total number of such citizens;
(ii) the number attending school;
(iii) the number who are employed;
(iv) the number who are in jail;
(v) the number who have died in the preceding year; and
(vi) any additional information that the Secretary considers relevant.

(3) The Secretary of [External] Foreign Affairs may authorize other officials and employees of the Department of [External] Foreign 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 of this chapter 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.

(4) The Deputy Secretary of [External] Foreign Affairs shall exercise the duties and responsibilities of the Secretary of [External] Foreign Affairs in his absence or in the event the Secretary of [External] Foreign Affairs dies, resigns, or is unable to discharge the duties and responsibilities of his office 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: 1/17/05

Introduced by: /s/ Sabino S. Asor

Sabino S. Asor