
AN ACT

To establish the executive organization of the central government of the Federated States of Micronesia.

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

1 Section 1. Executive Authority. The executive authority of the
2 Government of the Federated States of Micronesia is vested by, and in
3 accordance with, the Constitution of the Federated States, subject to
4 the provisions of Section 8 of this act. The Executive Branch of the
5 Government of the Federated States of Micronesia shall be organized in
6 the manner set forth in this act, and as may be provided elsewhere in
7 the law of the Federated States.

8 Section 2. Departments.

9 (1) There shall be the following departments which shall be
10 responsible for major programs or administrative support areas in the
11 Government of the Federated States:

- 12 (a) Department of Finance;
13 (b) Department of Social Services;
14 (c) Department of External Affairs; and
15 (d) Department of Resources and Development.

16 (2) The administrative head of each department shall be
17 designated as a "Director".

18 Section 3. Other Executive Offices. There shall be the following
19 executive offices:

- 20 (1) Office of the Attorney General;
21 (2) Office of Budget;
22 (3) Office of Information;

1 (4) Office of Personnel;

2 (5) Office of Planning and Statistics; and

3 (6) Office of the Public Defender.

4 Section 4. Additional Departments, Offices and Agencies.

5 Additional departments or offices may be established by law. Independent
6 agencies and temporary agencies may be established and need not be
7 organized under a department or office.

8 Section 5. Duties, Responsibilities, and Functions of Departments

9 and Offices. The respective duties, responsibilities, and functions of
10 each department and office within the organization of the Executive
11 Branch of the Government of the Federated States of Micronesia shall be
12 as established by, and in accordance with, administrative directive of
13 the President until amended or superseded by law. The President shall
14 also provide for subdivisions of departments and offices and shall set
15 forth the duties, responsibilities, and functions thereof by administra-
16 tive directive.

17 Section 6. Appointment and Advice and Consent.

18 (1) The President shall nominate and, with the advice and
19 consent of the Congress, as provided in Article X, Section 2 (d) of
20 the Constitution, shall appoint the directors of departments and their
21 deputies, if any; and the heads of the Offices of the Attorney General,
22 Budget, Planning and Statistics, and the Public Defender, and their
23 deputies, if any; including the directors, deputies and heads of
24 departments and offices established by subsequent law; PROVIDED, that
25 nothing herein shall be construed to require the appointment of the

1 deputies named above.

2 (2) The President or his designee may appoint officers and
3 employees not included in Subsection (1) of this section, without advice
4 and consent of the Congress; PROVIDED, that such appointments are not
5 inconsistent with the provisions of this chapter or other laws of the
6 Federated States.

7 (3) The President shall not resubmit the nomination of any
8 person to the Congress for its action if the same Congress shall have
9 previously rejected such nomination, unless the Congress shall by
10 resolution authorize such resubmission.

11 Section 7. Succession in Cases of Vacancy or Temporary Absence.

12 (1) The President may, by administrative directive, provide
13 for temporary succession to positions that have become vacant; PROVIDED,
14 however, that no person shall act by virtue of this subsection in a
15 position subject to advice and consent of the Congress for a period
16 in excess of ninety days unless his nomination to the position has
17 been submitted to the Congress within that time.

18 (2) The President may, by administrative directive, provide
19 for succession to positions whose incumbents are temporarily absent and
20 are expected at the time of the vacancy to be absent for a period not
21 exceeding one year.

22 (3) Any person succeeding to a position under a directive
23 issued pursuant to Subsection (1) or (2) of this section shall have the
24 word "Acting" in his title.

25 Section 8. Transition Provision. Nothing herein shall be construed

1 to repeal or amend Chapter 2 of Title 2 of the Trust Territory Code, as
2 amended, as it relates to the Federated States of Micronesia before the
3 transfer of governmental functions of the Trust Territory Government to
4 the Government of the Federated States and its states.

5 Section 9. Effective Date. This act shall become law upon approval
6 by the President, or upon its becoming law without such approval.

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June 8, 1979

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Tosiwo Nakayama
President
Federated States of Micronesia

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