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AN ACT

To provide for the transfer of executive functions from the Government of the Trust Territory to the Federated States of Micronesia and for the performance of such functions, and for other purposes.

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

1       Section 1. Transfer of functions. The President of the Federated  
2 States of Micronesia is authorized and empowered to accept and perform  
3 executive functions transferred from the Government of the Trust Territory  
4 to the Federated States of Micronesia pursuant to United States Department  
5 of the Interior Order No. 3039.

6       Section 2. Delegation of functions. The President of the Federated  
7 States of Micronesia is authorized to designate and empower the Vice Presi-  
8 dent or the head of any department, office, or agency in the executive  
9 branch to perform without approval, ratification, or other action by the  
10 President any executive function which is transferred from the Government  
11 of the Trust Territory to the Federated States of Micronesia or any function  
12 which is vested in the President by law; PROVIDED, that nothing contained  
13 herein shall relieve the President of his responsibility in office for acts  
14 of any official designated by him to perform such functions. Such designa-  
15 tion and authorization shall be in writing, shall be made available to the  
16 legislative and judicial branches of the Federated States of Micronesia and  
17 state governments, shall be subject to such terms, conditions, and limita-  
18 tions as the President may deem advisable, and shall be revocable at any  
19 time by the President in whole or in part.

20       Section 3. Scope of delegation. The authority conferred by this act  
21 shall apply to any function transferred to the President of the Federated  
22 States of Micronesia pursuant to United States Department of Interior Order



1 No. 3039 or vested in the President by law if such law does not affirma-  
2 tively prohibit delegation of the performance of such function as herein  
3 provided for, or specifically designate the officer or officers to whom it  
4 may be delegated. This act shall not be deemed to limit or derogate from  
5 any existing or inherent right of the President to delegate the performance  
6 of functions vested in him by law, and nothing herein shall be deemed to  
7 require express authorization in any case in which such official would be  
8 presumed in law to have acted by authority or direction of the President.

9       Section 4. Transition. Executive functions transferred from the  
10 Government of the Trust Territory to the Federated States of Micronesia  
11 which are within the powers of the states may be performed pursuant to this  
12 act until such functions are transferred to state governments. Such  
13 functions shall be transferred to state governments upon their request to  
14 the President.

15       Section 5. Definitions. As used in this act, the term "function"  
16 embraces any executive duty, responsibility, authority, or discretion  
17 transferred to or vested in the President of the Federated States of Micro-  
18 nesia, and the terms "perform" and "performance" may be construed to mean  
19 "exercise."

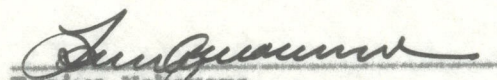
20       Section 6. Effective date. This act shall take effect upon approval  
21 by the President of the Federated States of Micronesia, or upon its  
22 becoming law without such approval.

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December 14, 1979

  
Tosiwo Nakayama  
President  
Federated States of Micronesia