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 States of Micronesia is authorized and empowered to accept and perform executive functions transferred from the Government of the Trust Territory to the Federated States of Micronesia pursuant to United States Department of the Interior Order No. 3039.

2. Section 2. Delegation of functions. The President of the Federated States of Micronesia is authorized to designate and empower the Vice President or the head of any department, office, or agency in the executive branch to perform without approval, ratification, or other action by the President any executive function which is transferred from the Government of the Trust Territory to the Federated States of Micronesia or any function which is vested in the President by law; PROVIDED, that nothing contained herein shall relieve the President of his responsibility in office for acts of any official designated by him to perform such functions. Such designation and authorization shall be in writing, shall be made available to the legislative and judicial branches of the Federated States of Micronesia and state governments, shall be subject to such terms, conditions, and limitations as the President may deem advisable, and shall be revocable at any time by the President in whole or in part.

3. Section 3. Scope of delegation. The authority conferred by this act shall apply to any function transferred to the President of the Federated States of Micronesia pursuant to United States Department of Interior Order
CONGRESSIONAL BILL NO. 1-107, C.D.1

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

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

3. Section 5. Definitions. As used in this act, the term "function"
embraces any executive duty, responsibility, authority, or discretion
transferred to or vested in the President of the Federated States of Micron-
esia, and the terms "perform" and "performance" may be construed to mean
"exercise."

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

December 14, 1979

Tugio Naikiyana
President
Federated States of Micronesia