FIRST CONGRESS OF THE FEDERATED STATES OF MICRONESIA
SECOND REGULAR SESSION, 1979
CONGRESSIONAL RESOLUTION NO. 1-39, CD1, CD2

A RESOLUTION

Relating to the transfer of executive functions from the Government of the Trust Territory to the Federated States of Micronesia.

WHEREAS, Secretarial Order No. 3039 provides for the transfer of executive functions from the Government of the Trust Territory to the Federated States of Micronesia; and

WHEREAS, the Constitution of the Federated States of Micronesia allocates government powers between the national and state governments; and

WHEREAS, executive functions performed by the Government of the Trust Territory are within the scope of national and state powers as provided in the Constitution; and

WHEREAS, the State-National Leaders Conference of the Federated States of Micronesia, held in the State of Pohnpei, September 25 to September 27, 1979, deliberated on the transfer of executive functions from the Government of the Trust Territory to the Federated States of Micronesia and the performance of such functions by national and state governments in a manner consistent with the Constitution; and

WHEREAS, the State-National Leaders Conference established a consensus on the transfer of certain executive functions from the Government of the Trust Territory to the Federated States of Micronesia; and

WHEREAS, the consensus of the State-National Leaders Conference provides that:

1. Agriculture research and development operations shall be transferred to the national government and then to the state governments upon request;
2. Transportation functions shall be transferred to the national government and devolved to the state governments upon request;

3. The national government shall obtain and assign a government vessel to the State of Kosrae to be operated by the national government until devolved to the State Government of Kosrae;

4. The national government shall license air taxis and regulate air transportation;

5. The state governments shall administer the physical grounds and structures of airports and collect landing fees;

6. The state governments will be primarily responsible for tourism and the national government will support and coordinate state tourism activities;

7. Planning functions shall be transferred to the national government which will provide technical assistance to the state governments;

8. Marine resources functions conducted by the Trust Territory Government shall be transferred to the national government;

9. Coordination of United States federal programs functions shall be transferred to the national government;

10. The Trust Territory Government should continue to fund and operate the student and health services coordinator functions of the Trust Territory Liaison Offices in Guam and Honolulu until the Federated States of Micronesia can perform these functions;

11. The Office of the Student Services Coordinator should be relocated to the University of Guam campus;

12. The Trust Territory Government should continue to operate the
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1 Trust Territory San Francisco Office, performing recruitment and procurement functions until the Federated States of Micronesia can perform these functions;

13. Immigration functions shall be transferred to the national government pursuant to national statute;

14. United States consuls shall be appointed to issue visas and other travel documents within the states;

15. Training of government employees functions be transferred to the national government; and

16. Information and broadcast functions conducted by the Trust Territory Government be transferred to the national government; and

WHEREAS, this Congress concurs with the consensus established by the State-National Leaders Conference and recognizes, as did the Conference, that transfer of executive functions from the Government of the Trust Territory is not meaningful unless accompanied by the funds and property necessary to perform those functions; now, therefore,

BE IT RESOLVED by the First Congress of the Federated States of Micronesia, Second Regular Session, 1979, that the President of the Federated States of Micronesia and the High Commissioner are requested to effectuate as soon as feasible the transfer of executive functions and the funds and property necessary to perform those functions consistent with the consensus established by the State-National Leaders Conference of the Federated States of Micronesia; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the President of the Federated States of Micronesia, the High
1 Commissioner, and the Governors and Speakers of State Legislatures of the
2 Federated States of Micronesia.
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4 Adopted: October 24, 1979