A BILL FOR AN ACT

To amend section 504 of title 10 of the Code of the Federated States of Micronesia (Annotated), for the purpose of clarifying that all subsequent commitments for action by the FSM made pursuant to ratified international and multilateral treaties where the FSM is a signatory country require ratification by Congress, and for other purposes.

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

1. Section 1. Purpose. To clarify that all international and multilateral agreements, not just treaties, require ratification by Congress.

2. Section 2. Section 504 of title 10 of the Code of the Federated States of Micronesia (Annotated), is hereby amended as follows:

   "Section 504. International agreements.

   Unless otherwise provided by law, the President, the Secretary of External Affairs, or their authorized representatives, may, without ratification by Congress, in accordance with the ordinary custom of heads of government, heads of state, or ministers of foreign affairs and in conformity with the Constitution of the Federated States of Micronesia, conclude certain international agreements if the agreements do not involve a delegation of a major power of government of the Federated States of Micronesia to another government and do not involve major financial obligations requiring
further appropriation. This subsection shall include only the following types of agreements:

(a) those which implement, carry out, or interpret the terms of a treaty ratified by Congress;

(b) those which implement or carry out the specific provisions of a congressional enactment;

(c) those which are concluded pursuant to congressional authorization; or

(d) those which involve matters falling within the normal scope of executive powers or responsibilities.

(2) The Secretary of External Affairs shall transmit a copy of any agreement concluded pursuant to subsection (1) of this section to the Congress of the Federated States of Micronesia together with an explanation of the agreement and the reasons therefore.

(3) Nothing contained in this section shall be construed as diminishing the authority of the President, the Secretary of External Affairs, or their authorized representatives, to negotiate and conclude international agreements which require ratification by Congress.

(4) Notwithstanding subsection (1) of this Section, all subsequent commitments for action by the FSM made pursuant to ratified international and multilateral treaties, including but not limited to climate change agreements, are also subject to ratification by
Section 3. 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: 5/12/22

Introduced by: /s/ Wesley W. Simina

Wesley W. Simina