SECOND CONGRESS OF THE FEDERATED STATES OF MICRONESIA
THIRD REGULAR SESSION, 1982

A BILL FOR AN ACT

To give effect to the constitutional provision for the external affairs responsibilities of the executive branch of the National Government of the Federated States of Micronesia; to provide for policies, procedures, and regulations for the implementation thereof; and for other purposes.

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

Section 1. General responsibility for external affairs. The
Department of External Affairs, under the direction of the President,
is responsible for the conduct of relations between the National
Government of the Federated States of Micronesia and the State govern-
ments; for the conduct of relations of the Federated States of Micron-
esia with foreign governments; governmental, regional, and interna-
tional organizations; and quasi-governmental organizations, in ac-
cordance with applicable laws, treaties, regulations, and orders; for
advising the President; and for advising other governmental officials
of policies to be observed toward such other governments and organiza-
tions.

Section 2. Definitions.

(1) "External affairs" refers to foreign affairs as defined
in subsection 3 and in addition refers to the conduct of relations
between the National Government and the governments of the States of
the Federated States of Micronesia and the conduct of relations with
the Government of the United States, its subdivisions, and agencies.

(2) "External economic assistance" refers to aid in the
nature of money, goods, and/or services provided by a foreign govern-
ment; governmental, regional, or international organization; or quasi-
governmental organization.

(3) "Foreign affairs" refers to matters of policy of the
Federated States of Micronesia in its relations with foreign govern-
mental, regional, and international organizations; and quasi-
governmental organizations.
(4) "Foreign governments" refer to the duly established
and recognized governments of sovereign nation states and the
governments of commonwealths, territories, and other not fully
sovereign entities.

(5) "Quasi-governmental organization" refers to an
organization associated with a national government, or an organization
representing the interests of several nations, which has the
authority to conduct governmental affairs within prescribed limita-
tions, but does not have the authority to obligate the sovereign
powers of the nation or nations.

Section 3. Duties and responsibilities of the Department of
External Affairs. The Department of External Affairs of the Federated
States of Micronesia shall have the following duties and responsi-
bilities:

(1) Formulation of foreign affairs policies for approval
by the President;

(2) Execution of foreign affairs policies of the Federated
States of Micronesia approved by the President;

(3) Conduct of foreign affairs for all levels of govern-
ment within the Federated States of Micronesia in accordance with
applicable laws, treaties, regulations, and orders;

(4) Conduct of relations between the National Government
and the governments of the States of the Federated States of
Micronesia;

(5) Conduct of relations with the Government of the United
States of America, its subdivisions, and agencies, and the Government
of the Trust Territory of the Pacific Islands;

(6) Conduct of trade relations between the Federated
States of Micronesia and foreign governments; governmental, regional,
and international organizations; and quasi-governmental organizations;

(7) Establishment abroad of such liaison and diplomatic
offices of the Federated States of Micronesia as may be necessary;

(8) Initiation of all formal investigations and requests
for external economic assistance and coordination and negotiation
of acceptance of all offers of such assistance; and

(9) Coordination of missions abroad by National and State
Government officials and employees, and communications relating
thereto with foreign governments; governmental, regional, and
international organizations; and quasi-governmental organizations.

Section 4. International agreements. With the exception of
treaties which must be ratified by Congress as provided for in the
Constitution, the President, in accordance with the ordinary usage
of heads of government or heads of state, and without incurring
major financial obligations requiring appropriations, may conclude
certain international agreements, including:

(1) Those which implement or carry out the terms of a
treaty ratified by Congress;

(2) Those which carry out the specific requirements of a
congressional enactment; and

(3) Routine matters falling within the normal scope of the
executive branch.

Section 5. Authority to establish policies and procedures. The Secretary of External Affairs of the National Government of the Federated States of Micronesia is hereby authorized to establish and promulgate written policies and procedures for the purpose of effectuating the duties and responsibilities of the department.

Section 6. Regulations. The President is hereby authorized to promulgate regulations implementing the provisions of this act, which regulations shall have the force and effect of law.

Section 7. Effective date. This act shall become law upon approval by the President of the Federated States of Micronesia or upon becoming law without such approval.

Date: 5/25/82

Introduced by: Luke H. Tman (by request)