A BILL FOR AN ACT

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

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

1. Section 1. **General responsibilities 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 governments; for the
   conduct of relations of the Federated States of Micronesia with foreign
   governments; governmental, regional, and international organizations, and
   quasi-governmental organizations, in accordance 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 organizations.

2. 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 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 assistance" refers to aid in the nature of money,
   goods, and/or services provided by foreign governments; governmental,
   regional, or international organizations; or quasi-governmental
   organizations.

   (3) "Foreign affairs" refers to matters of policy of the
   Federated States of Micronesia in its relations with foreign governments;
   governmental, regional, and international organizations; and quasi-govern-
   mental organizations.

   (4) "Foreign financial assistance" refers to aid in the nature
of money provided by a foreign government; governmental, regional, or
international organization; or quasi-governmental organization.

(5) "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.

(6) "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 limitations, but does not have the
authority to obligate the sovereign powers of the nation or nations.

(7) "Treaty" refers to an international agreement concluded
between states in written form and governed by international law, whether
embodied in a single instrument or in two or more related instruments and
whatever its particular designation.

Section 3. Duties and responsibilities of the Department of External
Affairs. The Department of External Affairs of the National Government of
the Federated States of Micronesia shall have the following duties and
responsibilities in accordance with National law and policy:

(1) Formulation of foreign affairs policies for review and
approval or disapproval 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 government
within the Federated States of Micronesia;

(4) Conduct of relations between the National and State Govern-
ments of the Federated States of Micronesia;

(5) Conduct of relations between the Federated States of Micronesia and the Government of the United States of America, including 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 National Government of the Federated States of Micronesia as may be necessary;

(8) Initiation of all formal investigations and requests for external 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. The President, without ratification by the Congress, in accordance with the ordinary custom of heads of government or heads of state and in conformity with the Constitution of the Federated States of Micronesia, may conclude certain international agreements if he does not incur major financial obligations requiring appropriation. These include only the following types of agreements:

(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) Those which are made by the President pursuant to his constitutional powers as Chief Executive.

Section 5. *External assistance agreements.*

(1) Foreign financial assistance received by the National Government shall be deposited in a foreign assistance fund. Except where a particular distribution is required by the terms or special nature of the assistance, each State shall receive a share equal to the share of the National Government and to the share of every other State.

(2) External assistance received in the nature of goods and/or services rather than money, except where the aggregate fair market value of the goods and/or services is less than $50,000, shall be distributed, sold, or otherwise disposed of by the Congress of the Federated States of Micronesia by resolution while in session, and by the appropriate committee of the Congress between sessions. When the aggregate fair market value of the goods and/or services is less than $50,000, the President shall be responsible for the distribution, sale, or disposal of the goods and/or services.

Section 6. *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 7. 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 8. Effective date. 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: 5/15/85

Introduced by: [Signature]

Jack Fritz