A BILL FOR AN ACT

To further amend title 10 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 2-61 and 3-4, by adding a new chapter 4 concerning the Compact of Free Association, and for other purposes.

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

Section 1. Title 10 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 401 of chapter 4 to read as follows:

"Section 401. Definition. As used in this chapter, 'Compact' means the Compact of Free Association between the Federated States of Micronesia and the United States of America and its related agreements, as modified or interpreted by Federated States of Micronesia Congressional Resolution No. 4-60, C.D.3, and United States Public Law 99-239, and as amended pursuant to the terms of the Compact itself and those agreements themselves."

Section 2. Title 10 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 402 of chapter 4 to read as follows:

"Section 402. Amendments to Compact.

(1) Mutual agreement by the Government of the Federated States of Micronesia as provided for in the Compact which results in amendment, change, or termination of all or any part thereof shall be effected only by a two-thirds vote of the Members of the Congress of the Federated States of Micronesia.

(2) Notwithstanding any other provision of this section, mutual agreement by the Government of the Federated States of Micronesia as provided for in the Compact which results in amendment, change, or termination thereof shall be effected only by a two-thirds vote of the Members of Congress and majority
approval by the State legislatures of two-thirds of the States of the Federated States of Micronesia if such amendment, change, or termination provides for:

(a) Delegation of a major power or major powers of the Government of the Federated States of Micronesia to another government; or

(b) Substantial reduction in any Compact benefit, even if the reduction is accompanied by any form of compensation.

(3) Notwithstanding any other provision of this section, the Congress of the Federated States of Micronesia may, as a matter of policy on a case-by-case basis, refrain from acting upon an amendment, change, or termination not within the scope of subsection (2) of this section until the State legislatures have had an opportunity to express a formal opinion on the matter by resolution."

Section 3. Title 10 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 403 of chapter 4 to read as follows:

"Section 403. Relations pursuant to the Compact. The government-to-government relations with the United States pursuant to the Compact shall be coordinated by the Federated States of Micronesia Department of External Affairs, which shall consult with the United States Department of State on all matters requiring government-to-government consultations, and shall require that all United States Government officials provide the
Government of the Federated States of Micronesia with prior notice before entering the Federated States of Micronesia on official business or making contacts with FSM State or National Government officials."

Section 4. 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: 6/14/86

Introduced by: Isaac V. Figir