

Ex. App.

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:

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

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

12 Section 2. Title 10 of the Code of the Federated States of Micro-
13 nesia is hereby further amended by adding a new section 402 of chapter 4
14 to read as follows:

15 "Section 402. Amendments to Compact.

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

21 (2) Notwithstanding any other provision of this section,
22 mutual agreement by the Government of the Federated States of
23 Micronesia as provided for in the Compact which results in
24 amendment, change, or termination thereof shall be effected only
25 by a two-thirds vote of the Members of Congress and majority

1 approval by the State legislatures of two-thirds of the States
2 of the Federated States of Micronesia if such amendment,
3 change, or termination provides for:

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

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

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

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

19 "Section 403. Relations pursuant to the Compact. The government-
20 to-government relations with the United States pursuant to the
21 Compact shall be coordinated by the Federated States of Micro-
22 nesia Department of External Affairs, which shall consult with
23 the United States Department of State on all matters
24 requiring government-to-government consultations, and shall
25 require that all United States Government officials provide the

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1 Government of the Federated States of Micronesia with prior
2 notice before entering the Federated States of Micronesia on
3 official business or making contacts with FSM State or
4 National Government officials."

5 Section 4. This act shall become law upon approval by the President
6 of the Federated States of Micronesia or upon its becoming law without
7 such approval.

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9 Date: 6/6/86

Introduced by: ✓
Isaac V. Figir

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