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A BILL FOR AN ACT

To further amend title 55 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-16, by adding a new subchapter V of chapter 6 for the purpose of creating a Search and Rescue Fund; to appropriate the sum of \$100,000 from the General Fund of the Federated States of Micronesia for the fiscal year ending September 30, 1988, for the purpose of funding the Search and Rescue Fund; and for other purposes.

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

1 Section 1. Title 55 of the Code of the Federated States of
2 Micronesia is hereby further amended by adding a new section 623 of
3 subchapter V of chapter 6 to read as follows:

4 "Section 623. Establishment.

5 (1) There is created a Search and Rescue Fund to be
6 used for search and rescue operations at sea within the
7 territorial sea and exclusive economic zone of the Federated
8 States of Micronesia and adjacent international waters.

9 (2) Moneys for the Search and Rescue Fund shall be
10 derived from appropriations by the Congress of the Federated
11 States of Micronesia and from any and all other appropriate
12 sources.

13 (3) The Search and Rescue Fund shall be administered
14 in accordance with the provisions of this subchapter."

15 Section 2. Title 55 of the Code of the Federated States of
16 Micronesia is hereby further amended by adding a new section 624 of
17 subchapter V of chapter 6 to read as follows:

18 "Section 624. Request - Use of Search and Rescue Fund.

19 (1) Except as provided in subsection (2) of this
20 section, all requests for assistance from the Search and
21 Rescue Fund shall be made to the President by the Governor
22 of a State of the Federated States of Micronesia or the
23 secretary or head of an appropriate department, office, or
24 agency of the National Government of the Federated States of
25 Micronesia. Such request shall be based on the requester's

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1 finding that a situation requiring search and rescue at sea
2 is beyond the capabilities of the requester's State
3 government or department, office, or agency, and that
4 assistance from the Search and Rescue Fund is necessary.
5 Such requests will include information describing efforts
6 and resources the requester has or will use in the search
7 and rescue operation, and will define the type and extent
8 of aid from the Search and Rescue Fund required.

9 (2) A request for assistance from the Search and
10 Rescue Fund may be made by a foreign government if its
11 citizens or a vessel under its flag require search and
12 rescue assistance within the territorial sea or exclusive
13 economic zone of the Federated States of Micronesia or
14 adjacent international waters. Nothing in this section
15 shall be construed as preventing the President from seeking
16 reimbursement from the foreign governments for expenditures
17 made pursuant to such a request.

18 (3) Upon determining that a need for assistance from
19 the Search and Rescue Fund exists, the President may
20 authorize such expenditure of moneys from the Fund as in
21 his opinion are necessary to carry out the purposes of this
22 subchapter."

23 Section 3. The sum of \$100,000, or so much thereof as may be
24 necessary, is hereby appropriated from the General Fund of the
25 Federated States of Micronesia for the fiscal year ending September

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1 30, 1988, for the purpose of funding the Search and Rescue Fund.

2 Section 4. All funds appropriated by this act shall be allotted,
3 managed, administered, and accounted for in accordance with applicable
4 law, including, but not limited to, the Financial Management Act of
5 1979. The allottee shall be responsible for ensuring that these
6 funds, or so much thereof as may be necessary, are used solely for the
7 purpose specified in this act, and that no obligations are incurred in
8 excess of the sum appropriated. The authority of the allottee to
9 obligate funds appropriated by this act shall not lapse.

10 Section 5. This act shall become law upon approval by the
11 President of the Federated States of Micronesia or upon its becoming
12 law without such approval.

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14 Date: May 23/88

Introduced by: Claude H. Phillip
Claude H. Phillip

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