

A BILL FOR AN ACT

To amend section 504 of title 10 of the Code of the Federated States of Micronesia (Annotated), for the purpose of clarifying that all subsequent commitments for action by the FSM made pursuant to ratified international and multilateral treaties where the FSM is a signatory country require ratification by Congress, and for other purposes.

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

1 Section 1. Purpose. To clarify that all international and
2 multilateral agreements, not just treaties, require ratification by
3 Congress.

4 Section 2. Section 504 of title 10 of the Code of the
5 Federated States of Micronesia (Annotated), is hereby amended as
6 follows:

7 "Section 504. International agreements.

8 Unless otherwise provided by law, the President, the
9 Secretary of External Affairs, or their authorized
10 representatives, may, without ratification by Congress,
11 in accordance with the ordinary custom of heads of
12 government, heads of state, or ministers of foreign
13 affairs and in conformity with the Constitution of the
14 Federated States of Micronesia, conclude certain
15 international agreements if the agreements do not
16 involve a delegation of a major power of government of
17 the Federated States of Micronesia to another government
18 and do not involve major financial obligations requiring

1 further appropriation. This subsection shall include
2 only the following types of agreements:

3 (a) those which implement, carry out, or interpret
4 the terms of a treaty ratified by Congress;

5 (b) those which implement or carry out the specific
6 provisions of a congressional enactment;

7 (c) those which are concluded pursuant to
8 congressional authorization; or

9 (d) those which involve matters falling within the
10 normal scope of executive powers or responsibilities.

11 (2) The Secretary of External Affairs shall transmit
12 a copy of any agreement concluded pursuant to subsection
13 (1) of this section to the Congress of the Federated
14 States of Micronesia together with an explanation of the
15 agreement and the reasons therefore.

16 (3) Nothing contained in this section shall be
17 construed as diminishing the authority of the President,
18 the Secretary of External Affairs, or their authorized
19 representatives, to negotiate and conclude international
20 agreements which require ratification by Congress.

21 (4) Notwithstanding subsection (1) of this Section,
22 all subsequent commitments for action by the FSM made
23 pursuant to ratified international and multilateral
24 treaties, including but not limited to climate change
25 agreements, are also subject to ratification by

1 Congress."

2 Section 3. This act shall become law upon approval by the
3 President of the Federated States of Micronesia or upon its
4 becoming law without such approval.

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6 Date: 5/12/22

Introduced by: /s/ Wesley W. Simina
Wesley W. Simina

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