

Representatives. The two Houses shall sit separately except as otherwise provided herein.

When the Congress shall convene, each House shall organize by the election of one of its number as presiding officer and such presiding officer shall be designated by the title of "President of the Senate" or "Speaker of the House of Representatives," as the case may be. When the Congress meets in joint session, the Speaker of the House of Representatives shall preside.

SEC. 2. *Legislative power.* The legislative power of the Congress of Micronesia shall extend to all rightful subjects of legislation, except that no legislation may be inconsistent with—

(a) Treaties or international agreements of the United States;

(b) Laws of the United States applicable to the Trust Territory;

(c) Executive orders of the President of the United States and orders of the Secretary of the Interior; or

Sections 1 through 12 of the Code of the Trust Territory.

No law shall be passed by the Congress imposing any tax upon property of the United States or property of the Trust Territory of the Pacific Islands; nor shall the property of nonresidents be taxed at a higher rate than the property of residents. No import or export levies shall be imposed on goods transported between or among the Districts of the Trust Territory, as described in section 39 of the Code of the Trust Territory, or any political subdivision thereof, and the levy of duties on goods imported into the Trust Territory is hereby reserved to the Congress of Micronesia and the High Commissioner.

SEC. 3. *Powers of the High Commissioner.* At the opening of a legislative session and at any time thereafter the High Commissioner may submit to the Congress and recommend the enactment of legislation.

SEC. 4. *Budget.* Money bills enacted by the Congress of Micronesia shall not provide for the appropriation of funds in excess of such amounts as are available from revenues raised pursuant to the tax laws and other revenue laws of the Trust Territory. *Provided,* That the Secretary of the Interior shall, from time to time, define the term "revenue" as used herein, so as generally to exclude therefrom all sums attributable to user charges or service related reimbursements to the Government of the Trust Territory. Prior to his final submission to the Secretary of the Interior of requests for Federal funds necessary for the support of governmental functions in the Trust Territory, the High Commissioner shall prepare a preliminary budget plan. He shall submit such plan to the Congress of Micronesia in joint session for its review and recommendations with respect to such portions as relate to expenditures of funds proposed to be appropriated by the Congress of the United States. With respect to such portions of the preliminary budget plan, the High Commissioner shall adopt such recommendations of the Congress as he may deem appropri-

ate, but he shall transmit to the Secretary of the Interior all recommendations he has not adopted.

SEC. 5. *Membership.* For the purpose of representation in the Congress, the Trust Territory is divided into six Districts as described in section 39 of the Code of the Trust Territory.

The Senate shall consist of 12 members, who shall be known as "Senators", of which each District shall elect two.

The House of Representatives shall consist of 21 members, who shall be known as "Representatives", and who shall be elected from each District as follows:

In the Mariana Islands District, three;

In the Marshall Islands District, four;

In the Palau District, three;

In the Ponape District, four;

In the Truk District, five;

In the Yap District, two.

Each of the six Administrative Districts shall be subdivided initially into single member election districts of approximately equal population, in such manner as the High Commissioner shall determine, and each such election district shall elect one of the Representatives to which the Administrative District is entitled. Future subdivisions shall be established by law.

Election districts shall be reapportioned every 10 years on the basis of population, but each District (as described in section 39 of the Trust Territory Code) shall be entitled to at least two Representatives. The first such reapportionment shall be made in 1971.

SEC. 6. *Qualification of legislators.* In order to be eligible to election as a member of the Congress a person shall—

(a) Be a citizen of the Trust Territory for at least 5 years;

(b) Have attained the age of 25 years at the time of his election; and

(c) Have been a bona fide resident of the District (as described in section 39 of the Code of the Trust Territory), from which he is elected for at least 1 year next preceding his election.

No person who has been expelled from the Congress for giving or receiving a bribe or for being an accessory thereto, and no person who has been convicted of a felony by any court of the Trust Territory, a court of one of the States of the United States, or any court with the jurisdiction of a district court of the United States, shall sit in the Congress unless the person so convicted has received a pardon restoring his civil rights.

SEC. 7. *Franchise.* The franchise shall be vested in residents of the Trust Territory who are citizens of the Trust Territory and 18 years of age or over. Additional qualifications may be prescribed by the Congress. *Provided,* That no property, language, or income qualification shall ever be imposed or required of any voter, nor shall any discrimination in qualification be made or based upon literacy, tribal custom, or social position, nor upon difference in race, color, ancestry, sex, or religious belief.

SEC. 8. *General elections.* General elections shall be held biennially in each

even-numbered year on the first Tuesday following the first Monday in November. *Provided,* That in the event of a natural disaster or other Act of God the effect of which precludes holding the election on the foregoing date, the High Commissioner, with the approval of the Secretary of the Interior, may proclaim a later election date in the affected election district or districts. All elections shall be held in accordance with such procedures as this order and the laws of the Trust Territory may prescribe. Legislators shall be chosen by secret ballot of the qualified electors of their respective district.

SEC. 9. *Term of office.* Each Senator shall hold office for a term of 4 years.

Representatives shall each hold office for a term of 2 years.

The terms of all members of the Congress shall commence at noon on the third day of January following their election, except as otherwise provided by law.

SEC. 10. *Disqualification of Government officers and employees.* Any person employed by any branch of the Government of the Trust Territory, or any political subdivision thereof, shall be accorded leave without pay, for a period not to exceed 30 days prior to and including the day of the election, for the purpose of seeking election to the Congress. If any such person is elected, he shall resign from his employment with the Government of the Trust Territory, or any political subdivision thereof, prior to the date upon which his term of office commences.

No person serving as a member of a legislative body of any political subdivision of the Government of the Trust Territory shall be eligible, while so serving, to serve as a member of the Congress of Micronesia.

No member of the Congress shall receive any compensation, other than that provided for in this order, from the Government of the Trust Territory or any political subdivision thereof.

SEC. 11. *Sessions.* There shall be a regular session of the Congress held in each year beginning on the second Monday of July, and continuing for not to exceed 45 consecutive calendar days. In each odd numbered year there shall also be a regular session of the Congress beginning on the second Monday in January and continuing for not to exceed 15 consecutive calendar days.

The High Commissioner may call special sessions for such period of time and at such time and place, as in his opinion the public interest may require. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the High Commissioner to the Congress while in such session.

SEC. 12. *Enacting clause.* The enacting clause of all bills shall be: "Be it enacted by the Congress of Micronesia," and no law shall be enacted except by bill. Bills may originate in either House, and may be amended or altered or rejected by the other.

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13. Veto by the High Commissioner.

Every bill passed by the Congress before it becomes a law, be presented to the High Commissioner. If the High Commissioner approves the bill, he shall sign it. If the High Commissioner disapproves the bill, he shall, as hereinafter provided, return it, with his objections, to the Congress within 10 consecutive calendar days after it shall have been presented to him. If the High Commissioner does not return the bill within such period, it shall be in like manner as if he had signed it, unless the Congress by adjournment prevents its return, in which case it shall be returned by the High Commissioner within 30 days after it shall have been presented to him; otherwise it shall be a law.

When a bill is returned by the High Commissioner to the Congress with his objections, each House may proceed to consider it. If the bill is repassed by both Houses of the Congress by a two-thirds majority of the entire membership of each House, it shall again be sent to the High Commissioner. If he does not approve it within 20 days, he shall send it together with his comment to the Secretary of the Interior. Within 90 days after its receipt by him, the Secretary of the Interior shall either approve or disapprove the bill. If he approves it, it shall become a law; otherwise it shall not. The foregoing provision shall not preclude the reconsideration by the Congress during either of the 1969 regular sessions of any bill returned by the High Commissioner during the 1968

session. Any bill presented to the High Commissioner shall contain several items of appropriation of money; he may object to one or more of such items, or any one or parts thereof, while approving other items or parts of the bill. In case he shall append to the bill, at the time of signing it, a statement of his objections, and the item or items, part or parts thereof, so objected to shall have the effect of being vetoed.

14. Adjournment. Neither House shall adjourn for more than 2 consecutive days nor may either House adjourn without the concurrence of the other House.

15. Publication of laws. The High Commissioner shall cause the resolutions and laws to be published within 30 days after they become law, and shall make provision for their distribution to public and sale to the public.

16. Procedure—(a). Quorum. A majority of the members of each House shall constitute a quorum of such House for the transaction of business. A smaller number may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as each House may

Reading of bills—passage. A bill to become a law shall pass two readings in each House, on separate days, the final passage of which in each shall be by a majority vote of all

the members of such House, which vote shall be entered upon the journal.

(c) Title. Every legislative act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such an act shall be void only as to so much thereof as shall not be embraced in the title.

(d) Certification of bills from one House to the other. Every bill when passed by the House in which it originated, or in which amendments thereto shall have originated, shall immediately be certified by the presiding officer and sent to the other House for consideration.

(e) Amendment and revisions by reference. No law shall be amended or revised by reference to its title only, but in such case the act, as revised, or section or subsection as amended, shall be reenacted and published at full length.

(f) Language. All legislative proceedings shall be conducted in the English language. *Provided*, That knowledge of the English language shall not be a qualification for membership in the Congress. Nothing herein shall limit the right of a member to use his native language if he lacks fluency in English, and the Congress shall provide for interpretation into English in such cases.

(g) Journal. Each House shall keep a journal of its proceedings, and publish the same in English.

(h) Public sessions. The business of the Congress, and of the Committee of the Whole, shall be transacted openly and not in secret session.

(i) Procedural authority. The Congress shall be the sole judge of the elections and qualifications of its members, shall have and exercise all the authority and attributes inherent in legislative assemblies, and shall have the power to institute and conduct investigations, issue subpoenas to witnesses and other parties concerned, and administer oaths.

Sec. 17. Immunity. No member of the Congress of Micronesia shall be held to answer before any tribunal other than the Congress for any speech or debate in the Congress, and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the Congress and in going to and from the same.

Sec. 18. Compensation and expenses. Each member of the Congress shall be entitled to receive an annual salary of \$3,500, and the President of the Senate and the Speaker of the House of Representatives shall each be entitled to receive an additional \$500, all of which amounts shall be payable from funds appropriated by the Congress of the United States, when such funds are appropriated pursuant to estimates submitted by the Secretary of the Interior. Each member shall also be entitled to receive, from funds available to and appropriated by the Congress of Micronesia, travel expenses, an expense allowance, and per diem at the standard Trust Territory Government rates for each day the mem-

ber is in a travel status to and from sessions of the Congress, while in session, or while on other official legislative business. Per diem shall not be payable to members of the Congress for a regular or a special session when such session is held on the island of their residence. The term "official legislative business" shall mean only legislative business authorized by the Chairman of the pertinent Committee of the Congress of Micronesia and performed by one or more members of that Committee, as designated by the Chairman. Travel shall be performed by the most expeditious and direct means. *Provided*, That compensation, travel, expense allowances, and per diem shall not be allowed in excess of such amounts as may be budgeted therefor.

Sec. 19. Compensation and expenses, interim provision. Effective for the period beginning January 1, 1969, and ending June 30, 1969, members and officers of the Congress of Micronesia shall be entitled to compensation, travel expenses, an expense allowance, and per diem at the rates prescribed in section 18 of this order; but all such compensation, travel, expense allowances, and per diem shall be paid from funds available to and appropriated by the Congress of Micronesia.

Sec. 20. Appointment to new offices. No member of the Congress shall, during the term for which he was elected or during the year following the expiration of the term for which he was elected, be appointed to any office which was created by the Congress during such term.

Sec. 21. Vacancies. Whenever, prior to 6 months before the date of the next general election, a vacancy occurs, the High Commissioner shall call a special election to fill such vacancy. In case of a vacancy occurring within 6 months of the next general election, no special election shall be held and the District Administrator of the District wherein such vacancy arises may fill such vacancy by appointment.

Sec. 22. Conversion into a unicameral body. At its July 1969 regular session, the Congress shall convene in joint session to consider whether the bicameral legislature should be continued, or whether the legislature should be converted into a unicameral body. The final recommendation to the High Commissioner shall be adopted by a majority vote, and the recommendation shall be submitted to the High Commissioner and by him to the Secretary of the Interior.

Sec. 23. Legislative counsel. The Congress of Micronesia may by joint resolution nominate a legislative counsel of its own choosing. The salary and other benefits available to such legislative counsel shall be established and paid by the Congress of Micronesia. The Congress of Micronesia may make budgetary provision for such supporting staff for the legislative counsel and the legislature as it may deem necessary.

Sec. 24. Amendment. This part may be amended only by further order of the Secretary of the Interior. The Congress may, during any regular session, by a two-thirds majority vote of the membership of each House recommend to the

High Commissioner the amendment of any section of this part. The High Commissioner shall transmit such recommendation, together with his own recommendations thereon, to the Secretary of the Interior.

PART IV. Judicial authority.

The judicial authority of the Government of the Trust Territory shall be vested in a High Court for the Trust Territory and such other courts as may be established pursuant to law. The Secretary shall appoint the Chief Justice and Associate Justices of the High Court, may make temporary appointments when a vacancy exists, and in addition may appoint temporary judges to serve on the High Court. The judicial authority shall be independent of the executive and legislative powers. Budgetary requests for the territorial judiciary, with supporting justification, shall be drawn up by the Chief Justice of the Trust Territory and submitted for the approval of the Department of the Interior by the High Commissioner of the Trust Territory as a separate item in the annual budget for the Trust Territory. The High Commissioner should call the attention of the Secretary to any question which he may have regarding the budget for the judiciary.

PART V. General.

Prior orders. Department of the Interior Order No. 2876 of January 30, 1964, as amended, and Department of the Interior Order No. 2882 of September 28, 1964, as amended, are hereby superseded. Except for Order No. 2902 dated November 15, 1967, as amended, provisions of other prior orders of the Department of the Interior, insofar as they are inconsistent with the provisions of this order, are hereby superseded. Existing laws, regulations, orders, appointments, or other acts in effect immediately prior to the effective date of this order shall remain in effect until they are superseded pursuant to the provisions of this order.

STEWART L. UDALL,
Secretary of the Interior.

DECEMBER 27, 1968.

[F.R. Doc. 69-80; Filed, Jan. 3, 1969; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

SOUTHWEST RESEARCH INSTITUTE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scien-

tific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00086-00-78050. Applicant: Southwest Research Institute, 3500 Culebra Road, San Antonio, Tex. 78228. Article: Dichroism accessory for a spectrophotometer, Model CD-HC-S. Manufacturer: Rehovoth Instruments, Ltd., Israel. Intended use of article: The article will be used as an accessory to an existing Cary Model 14 spectrophotometer for the measurement of circular and linear dichroism in the spectral range. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The article is an accessory for use with the Cary Model 14 spectrophotometer, for measuring circular dichroism. We know of no counterpart of this article which is being manufactured in the United States. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-66; Filed, Jan. 3, 1969; 8:48 a.m.]

SOUTHWEST RESEARCH INSTITUTE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00087-00-78050. Applicant: Southwest Research Institute, 3500 Culebra Road, San Antonio, Tex. 78228. Article: Dichroism accessory for a spectrophotometer, Model CD-HC-S. Manufacturer: Rehovoth Instruments, Ltd., Israel. Intended use of article: The article will be used as an accessory to an existing Cary Model 14 spectrophotometer for the measurement of circular and linear dichroism in the spectral range. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is

intended to be used, is being manufactured in the United States.

The article is an accessory for the Cary Model 14 spectrophotometer for measuring circular dichroism of no counterpart of the which is being manufactured in the United States.

The Department of Commerce of no other instrument or apparatus of equivalent scientific value to the article, for the purposes for which article is intended to be used, being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-67; Filed, Jan. 3, 1969; 8:48 a.m.]

TEXTILE RESEARCH INSTITUTE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 68-00317-65-46040. Applicant: Textile Research Institute, Office Box 625, 601 Prospect Street, Princeton, N.J. 08540. Article: J Model JSM-2 scanning electron microscope, including JSM-RTS gon stage, JSM-TED transmitted electron detection device, JSM-F 35 pen prism single lens reflex 35-mm. attachment, JEE-4B vacuum extensor, JEE-RTS rotating and tilting mechanism stage for vacuum evaluation. Manufacturer: Japan Electron Laboratory Co., Ltd., Japan. Intended use of article: The article will be used in long range basic research and investigation by graduate students, study of chemical physics of surface fibers and related materials—a direct morphological studies of surface fibers and related materials—difficult to replicate for transmission electron microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, was available in the United States in a reasonable delivery time. Reason: The foreign article was ordered on December 29, 1967, and installed at applicant's laboratory on February 1, 1968. The only scanning electron microscope available at the time the ap-