

Editorial Notes

REFERENCES IN TEXT

The Compact of Free Association Act of 1985, referred to in subsec. (a), is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, which is classified principally to part A of subchapter I of this chapter and chapter 19 (§2001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

The Compact of Free Association, referred to in subsec. (b), probably means the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia, which is contained in section 201 of Pub. L. 99-239, set out as a note under section 1901 of this title.

CODIFICATION

Section was formerly set out as a note under section 1681 of this title.

§ 1974. Connecting Oceania's Nations With Vanguard Exercises and National Empowerment**(a) Short title**

This section may be cited as the “Connecting Oceania's Nations with Vanguard Exercises and National Empowerment Act of 2023” or the “CONVENE Act of 2023”.

(b) Definitions

In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the congressional defense committees.

(2) NATIONAL SECURITY COUNCIL.—The term “national security council” means, with respect to a specified country, an intergovernmental body under the jurisdiction of the freely elected government of the specified country that acts as the primary coordinating entity for security cooperation, disaster response, and the activities described in subsection (c)(5).

(3) SPECIFIED COUNTRY.—The term “specified country” means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

(c) National security councils of specified countries**(1) In general**

The Secretary of State, in consultation with other relevant Federal departments and agencies, as appropriate, may consult and engage with each specified country to advise and provide assistance to a national security council (including by developing a national security council, if appropriate), or to identify a similar coordinating body for national security matters, comprised of citizens of the specified country—

(A) that enables the specified country—

(i) to better coordinate with the United States Government, including the Armed Forces, as appropriate;

(ii) to increase cohesion on activities, including emergency humanitarian response, law enforcement, and maritime security activities; and

(iii) to provide trained professionals to serve as members of the committees of the specified country established under the applicable Compact of Free Association; and

(B) for the purpose of enhancing resilience capabilities and protecting the people, infrastructure, and territory of the specified country from malign actions.

(2) Composition

The Secretary of State, respecting the unique needs of each specified country, may seek to ensure that the national security council, or other identified coordinating body, of the specified country is composed of sufficient staff and members to enable the activities described in paragraph (5).

(3) Standards for equipment and services

The Secretary of State may work with the national security council, or other identified coordinating body, of each specified country to ensure that—

(A) the equipment and services used by the national security council or other identified coordinating body are compliant with security standards so as to minimize the risk of cyberattacks or espionage;

(B) the national security council or other identified coordinating body takes all reasonable efforts not to procure or use systems, equipment, or software that originates from any entity identified under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year¹ (10 U.S.C. 113 note); and

(C) to the extent practicable, the equipment and services used by the national security council or other identified coordinating body are interoperable with the equipment and services used by the national security councils, or other identified coordinating bodies, of the other specified countries.

(4) Report on implementation**(A) In general**

Not later than 180 days after December 22, 2023, and annually thereafter for 2 years, the Secretary of State shall submit to the appropriate committees of Congress a report that includes—

(i) an assessment as to whether a national security council or a similar formal coordinating body is helping or would help achieve the objectives described in paragraph (1) at acceptable financial and opportunity cost;

(ii) a description of all actions taken by the United States Government to assist in the identification or maintenance of a national security council, or other identified coordinating body, in each specified country;

(iii) with respect to each specified country, an assessment as to whether—

¹ So in original. Probably should be followed by “2021”.

- (I) the specified country has appropriately staffed its national security council or other identified coordinating body; and
- (II) the extent to which the national security council, or other identified coordinating body, of the specified country is capable of carrying out the activities described in paragraph (5);
- (iv) an assessment of—
- (I) any challenge to cooperation and coordination with the national security council, or other identified coordinating body, of any specified country;
- (II) current efforts by the Secretary of State to coordinate with the specified countries on the activities described in paragraph (5); and
- (III) existing governmental entities within each specified country that are capable of supporting such activities;
- (v) a description of any challenge with respect to—
- (I) the implementation of the national security council, or other identified coordinating body, of any specified country; and
- (II) the implementation of paragraphs (1) through (3);
- (vi) an assessment of any attempt or campaign by a malign actor to influence the political, security, or economic policy of a specified country, a member of a national security council or other identified coordinating body, or an immediate family member of such a member; and
- (vii) any other matter the Secretary of State considers relevant.

(B) Form

Each report required by subparagraph (A) may be submitted in unclassified form and may include a classified annex.

(5) Activities described

The activities described in this subsection are the following homeland security activities:

- (A) Coordination of—
- (i) the prosecution and investigation of transnational criminal enterprises;
- (ii) responses to national emergencies, such as natural disasters;
- (iii) counterintelligence and counter-coercion responses to foreign threats; and
- (iv) efforts to combat illegal, unreported, or unregulated fishing.

(B) Coordination with United States Government officials on humanitarian response, military exercises, law enforcement, and other issues of security concern.

(C) Identification and development of an existing governmental entity to support homeland defense and civil support activities.

(Pub. L. 118-31, div. E, title LIV, §5412, Dec. 22, 2023, 137 Stat. 949.)

Editorial Notes

REFERENCES IN TEXT

The applicable Compact of Free Association, referred to in subsec. (c)(1)(A)(iii), probably means the Compact

of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia, which is contained in section 201 of Pub. L. 99-239, set out as a note under section 1901 of this title, and the Compact of Free Association between the Government of the United States and the Government of Palau, which is contained in section 201 of Pub. L. 99-658, set out as a note under section 1931 of this title.

Section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, referred to in subsec. (c)(3)(B), is section 1260H of Pub. L. 116-283, which is set out as a note under section 113 of Title 10, Armed Forces.

Statutory Notes and Related Subsidiaries

“CONGRESSIONAL DEFENSE COMMITTEES” DEFINED

For definition of “congressional defense committees” as the Committees on Armed Services and Appropriations of the Senate and the House of Representatives, see section 101 of Title 10, Armed Forces, as made applicable by section 3 of Pub. L. 118-31, which is listed in a table under section 101 of Title 10.

SUBCHAPTER IV—MICRONESIA, MARSHALL ISLANDS, AND PALAU: 2023 AGREEMENTS

§ 1981. Findings

Congress finds the following:

(1) The United States (in accordance with the Trusteeship Agreement for the Trust Territory of the Pacific Islands, the United Nations Charter, and the objectives of the international trusteeship system of the United Nations) fulfilled its obligations to promote the development of the people of the Trust Territory toward self-government or independence, as appropriate, to the particular circumstances of the Trust Territory and the people of the Trust Territory and the freely expressed wishes of the people concerned.

(2) The United States, the Federated States of Micronesia, and the Republic of the Marshall Islands entered into the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99-239) and the United States and the Republic of Palau entered into the Compact of Free Association set forth in section 201 of Public Law 99-658 (48 U.S.C. 1931 note) to create and maintain a close and mutually beneficial relationship.

(3) The “Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia”, the “Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands”, and related agreements were signed by the Government of the United States and the Governments of the Federated States of Micronesia and the Republic of the Marshall Islands and approved, as applicable, by section 201 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108-188).

(4) The “Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review”, was signed by the Govern-