



*The President*  
*Palikir, Pohnpei*  
*Federated States of Micronesia*

PRESIDENTIAL COMM. NO. 19-577  
FSM CONGRESS

March 30, 2017

The Honorable Wesley W. Simina  
Speaker  
Nineteenth Congress of the Federated States of Micronesia  
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I hereby return the following congressional act, which was repassed and became Public Law No. 19-156:

Congressional Act No. 19-159: "AN ACT TO AMEND SECTION 506 OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO PROVIDE THE PUBLIC AUDITOR WITH THE POWERS TO INVESTIGATE ALLEGATIONS OF WHITE COLLAR CRIME, AND FOR OTHER PURPOSES."

Sincerely,

  
Peter M. Christian  
President

Enclosure:

xc: Chief Justice, FSM Supreme Court





Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

P.O. Box PS 3

Palikir, Sokehs Pohnpei State, FM 96941

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PRESIDENTIAL COMM. NO. 19-577  
FSM CONGRESS

March 29, 2017

His Excellency Peter M. Christian  
President  
Federated States of Micronesia  
Palikir, Pohnpei FM 96941



Dear President Christian:

I have the honor to transmit herewith Congressional Act No. 19-159, "AN ACT TO AMEND SECTION 506 OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO PROVIDE THE PUBLIC AUDITOR WITH THE POWERS TO INVESTIGATE ALLEGATIONS OF WHITE COLLAR CRIME, AND FOR OTHER PURPOSES.", which was repassed on March 28, by the Nineteenth Congress of the Federated States of Micronesia, Eighth Special Session, 2017, by a three-fourths vote of all the State delegations as required and as duly certified.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, Congress of the  
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 19-577  
FSM CONGRESS

PUBLIC LAW No. 19-156



NINETEENTH CONGRESS OF THE  
FEDERATED STATES OF MICRONESIA  
EIGHTH SPECIAL SESSION  
MARCH 27 – APRIL 05, 2017

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## An Act

TO AMEND SECTION 506 OF TITLE 55 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO PROVIDE THE PUBLIC AUDITOR WITH THE POWERS TO INVESTIGATE ALLEGATIONS OF WHITE COLLAR CRIME, AND FOR OTHER PURPOSES.

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INTRODUCED BY: SENATOR WESLEY W. SIMINA

DATE: SEPTEMBER 20, 2016

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REPASSED: MARCH 28, 2017

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A handwritten signature in blue ink, appearing to read "Liwiana Ramon Ioanis".

Liwiana Ramon Ioanis  
Chief Clerk, FSM Congress





CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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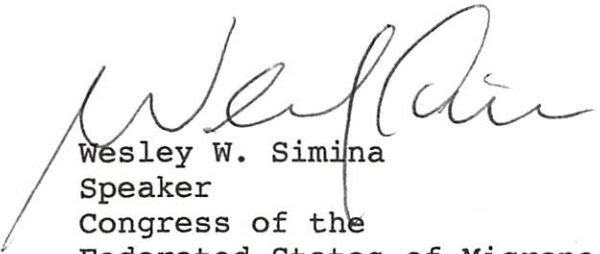
PRESIDENTIAL COMM. NO. 19-577  
FSM CONGRESS

Office of the Speaker

ACT NO. 19-159

(CONGRESSIONAL BILL NO. 19-199)

I hereby certify that on March 28 the foregoing act was repassed by the Nineteenth Congress of the Federated States of Micronesia, Eighth Special Session, 2017, by a three-fourths vote of all the State delegations as required under article IX, section 2(q), of the Constitution of the Federated States of Micronesia.

  
Wesley W. Simina  
Speaker  
Congress of the  
Federated States of Micronesia

NINETEENTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FIFTH REGULAR SESSION, 2016

CONGRESSIONAL BILL NO. 19-199

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AN ACT

To amend section 506 of title 55 of the Code of the Federated States of Micronesia (Annotated), as amended, to provide the Public Auditor with the powers to investigate allegations of white collar crime, and for other purposes.

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

1       Section 1. Section 506 of title 55 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended, is hereby  
3 amended to read as follows:

4               "Section 506. Powers.

5               The powers of the Public Auditor shall be as follows:

6               (1) The Public Auditor may examine and inspect all  
7 books, records, files, papers, documents, and all  
8 financial affairs of every branch, department, office,  
9 agency, board, commission, bureau, and statutory  
10 authority of the National Government, as well as other  
11 public legal entities, including States and nonprofit  
12 organizations receiving funds from the National  
13 Government.

14              (2) The Public Auditor may audit the records of any  
15 contractor performing public work on a cost-  
16 reimbursement-type contract for the National Government  
17 of the Federated States of Micronesia to verify the cost  
18 charged to the public contract. Any contractor

PUBLIC LAW No. 19- 156

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1 performing public work pursuant to a contract with the  
2 National Government of the Federated States of  
3 Micronesia shall keep and maintain records adequate to  
4 establish the validity of costs charged to the National  
5 Government.

6 (3) The Public Auditor may by subpoena summon persons  
7 to appear at a reasonable time before him and administer  
8 oaths to such persons. He may question such persons,  
9 under oath, regarding receipts and expenditures of money  
10 and any other reasonable and relevant matters necessary  
11 for the due execution of the duties vested in the Public  
12 Auditor by this chapter.

13 (4) The Public Auditor may issue subpoenas *duces*  
14 *tecum* within a reasonable time requiring the production  
15 of books, records, documents, or other relevant  
16 financial papers or objects necessary for the  
17 performance of his duties.

18 (5) Any subpoena or subpoena *duces tecum* issued under  
19 the authority of the Public Auditor shall run in the  
20 name of the Federated States of Micronesia and shall be  
21 addressed to the chief or other officer of the Division  
22 of Security and Investigation of the Office of the  
23 Attorney General of the National Government of the  
24 Federated States of Micronesia. The subpoena or  
25 subpoena *duces tecum* shall be signed by the Public

1 Auditor and shall identify the witness to be served or  
2 the books, records, documents, or other relevant  
3 financial papers or objects to be produced together with  
4 a reference to the account subject to inspection and  
5 audit.

6 (6) Any officer to whom such subpoena or subpoena  
7 *duces tecum* is directed shall forthwith serve or execute  
8 the same upon delivery thereof to him.

9 (7) Any person who willfully fails or refuses to  
10 appear upon receiving service of a subpoena, or who  
11 willfully fails or refuses to produce any books,  
12 records, documents, or other relevant financial papers  
13 or objects designated in a subpoena *duces tecum* properly  
14 issued by the Public Auditor, upon conviction thereof,  
15 shall be fined not more than \$1,000, or imprisoned for  
16 not more than one year, or both. Failure by the Public  
17 Auditor to comply in any material respect with the  
18 requirements of this chapter shall relieve any person of  
19 the obligation to appear or the obligation to produce  
20 designated materials, and such failure shall be defense  
21 in any proceeding against such person for punishment.

22 (8) Any person subject to a subpoena *duces tecum*  
23 shall have only those privileges against producing  
24 books, records, documents, or other relevant financial  
25 papers or objects which are authorized under the rules

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1 of evidence of the Supreme Court of the Federated States  
2 of Micronesia, the Constitution of the Federated States  
3 of Micronesia, the Trust Territory Bill of Rights, or  
4 other applicable law.

5 (9) The Public Auditor, when he receives an  
6 allegation of non-compliance in public office, misuse of  
7 public resources, financial crime, financial corruption,  
8 or any other breach of the national law or regulations  
9 involving, in whole or in part, public funds from the  
10 National Government, may authorize the Compliance  
11 Investigation Division to conduct a preliminary inquiry  
12 to ascertain whether there is a reasonable cause to  
13 warrant an investigation into the allegation.

14 (10) The Public Auditor, when he as a part of his  
15 duties has a reasonable cause to suspect non-compliance  
16 in public office, misuse of public resources, financial  
17 crime, financial corruption, or any other breach of the  
18 national law or regulations involving, in whole or in  
19 part, public funds from the National Government, may  
20 authorize the Compliance Investigation Division to  
21 investigate such matters.

22 (11) The Compliance Investigation Division, when  
23 conducting a preliminary inquiry or an investigation,  
24 shall liaise with the Department of Justice during the  
25 course of conducting such a preliminary inquiry or



1 investigation and advise the Department of Justice of  
2 the results of such a preliminary inquiry or  
3 investigation."

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

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10 \_\_\_\_\_, 2017

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14 *override*

15 *03-28-17*

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Peter M. Christian  
President  
Federated States of Micronesia

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