
AN ACT

To provide laws to control bribery, graft and conflict of interest for the National Government of the Federated States of Micronesia, and for other purposes.

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

1 Section 1. Definitions. For the purpose of the following sections:

2 (1) "Public official" means member of Congress of the
3 Federated States of Micronesia, either before or after he has qualified,
4 or an officer or any other employee or person acting for or on behalf
5 of the National Government of the Federated States of Micronesia, or any
6 department, agency or branch of Government thereof, in any official
7 function under or by authority of any such department, agency, or branch
8 of Government.

9 (2) "Official act" means any decision or action on any matter
10 which may at any time be pending, or which may by law be brought before
11 any public official, in his official capacity or position of trust.

12 Section 2. Offerings to influence members of National Government.
13 Whoever promises, offers, or gives any money or other thing of value to
14 any public official, officer or employee of the National Government with
15 the intent to influence his decision or action on any official matter
16 which may at any time be pending, or which may by law be brought before
17 him in his official capacity; or with the intent to influence him to
18 commit or aid in committing, or to collude in or allow any fraud, or
19 provide opportunity for the commission of any fraud on the National Govern-
20 ment, or to induce him to do or omit to do any act in violation of his
21 lawful duty, shall be fined not more than \$10,000 or imprisoned for not
22 more than ten years or both, and shall be disqualified from holding any

1 office of honor or trust in the National Government.

2 Section 3. Compensation to Members of Congress, officers, and others
3 in matters affecting the Government.

4 (1) Whenever a public official, otherwise than as provided by
5 law for the proper discharge of official duties, directly or indirectly
6 receives or agrees to receive, or asks, demands, solicits, or seeks, any
7 compensation for any services rendered or to be rendered either by himself
8 or another, in relation to any matter in which the National Government of
9 the Federated States of Micronesia is a party or has a direct and substan-
10 tial interest; or

11 (2) Whoever knowingly, otherwise than as provided by law for the
12 proper discharge of official duties, directly or indirectly gives, promises,
13 or offers any compensation for any such services rendered or to be rendered
14 at a time when the intended recipient is or was such a public official,
15 shall be in violation of the law. Any such violators of Subsections (1) or
16 (2) of this section shall be fined not more than \$5,000 or imprisoned for
17 not more than two years, or both; and shall be disqualified from holding
18 any office of honor or trust in the National Government of the Federated
19 States of Micronesia.

20 Section 4. Disqualification of former officers and employees in
21 matters connected with former duties or official responsibilities; disqual-
22 ification of partners.

23 (1) Whoever, having been a public official, an officer, or
24 employee of any branch of the National Government of the Federated States
25 of Micronesia or any entity created by said government, within one year

1 after his employment or term has ceased, knowingly acts as agent or attorney
2 for anyone other than the branch of the National Government or its entity
3 in connection with any judicial or other matter involving a specific party or
4 parties in which the branch of the National Government or its entity is a
5 party or has a direct and substantial interest, and in which he participated
6 personally and substantially as an officer or employee, shall be fined not
7 more than \$10,000 or imprisoned for not more than two years, or both.

8 (2) Whoever, being a partner of an officer or employee of any
9 branch of the National Government or its entity, acts as agent or attorney
10 for anyone other than the branch of National Government or its entity in
11 connection with any judicial or other matter in which the branch of the
12 National Government or its entity is a party or has a direct and substan-
13 tial interest and in which such officer or employee participates or has
14 participated personally and substantially as a Government employee,
15 or which is the subject of his official responsibility, shall be fined
16 not more than \$5,000, or imprisoned not more than one year or both.

17 Section 5. Acts affecting a personal financial interest. Whoever,
18 being an officer, employee or public official of any branch of the National
19 Government, or of any independent Government entity, or an allottee as
20 contemplated by the Financial Management Act of 1979, and who in any of
21 these capacities participates personally and substantially in a judicial
22 proceeding or other matter in which, to his knowledge, he, his spouse,
23 minor child, close relatives, partner, organization in which he is serving
24 as officer, director, trustee, partner or employee, or any person or
25 organization with whom he is negotiating or has any arrangement concerning

1 prospective employment, has a financial interest, shall be fined not more
2 than \$10,000 or imprisoned not more than two years, or both. For purposes
3 of this section, "substantial participation" includes, but is not limited
4 to, the following: decision, approval, disapproval, recommendation, ren-
5 dering of advice, and investigation. "Other matter" includes, but is not
6 limited to, the following: application or request for a ruling or other
7 determination, contract, claim, controversy, charge, accusation, or arrest.

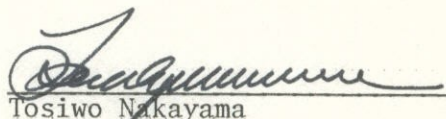
8 Section 6. Offer to procure appointive public office. Whoever pays
9 or offers or promises any money or thing of value, to any person, firm, or
10 corporation in consideration of the use or promise to use any influence to
11 procure any appointive office or place under the National Government, for
12 any person, shall be fined not more than \$1,000 or imprisoned not more than
13 one year, or both.

14 Section 7. Acceptance or solicitation to obtain appointive public
15 office. Whoever solicits or receives, either as a political contribution,
16 or for personal gain, any money or thing of value, in consideration of the
17 promise of support or use of influence in obtaining for any person any
18 appointive office or place under the National Government shall be fined
19 not more than \$1,000 or imprisoned not more than one year, or both.

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1 Section 8. Effective Date. This act shall become law upon approval
2 by the President of the Federated States of Micronesia, or upon its becoming
3 law without such approval.

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6 December 31, 1980

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10 Tosiwo Nakayama
11 President
12 Federated States of Micronesia
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