

CHAPTER 5

Advice and Consent

SECTIONS

§ 501. Advice and consent appointments.

§ 502. Confirmation required before performance of duties.

§ 501. Advice and consent appointments.

Appointments to all positions in the National Government which require the advice and consent of the Congress shall be made in the following manner:

(1) If the nomination is made during a session of Congress, the President shall submit the nomination to the Speaker of the Congress, and advice and consent to the nomination shall be provided by a resolution of the Congress. Approval of the nomination requires a two-thirds vote of Congress. If the Congress fails to take action to either approve or to reject a nomination prior to the close of the session, the nomination may not be deemed either approved or rejected by the Congress.

(2) If the nomination is made while Congress is not in session, Congress shall consider the nomination at the next session following the nomination. A non-session nomination is subject to the same procedure as set out in subsection (1) of this section.

Source: PL 1-8 § 1 (part); PL 1-98 § 1; PL 2-36 § 1.

Editor's note: 3 F.S.M.C. 501 through 504 were repealed by PL 2-36, and a new § 501 enacted in lieu thereof. PL 7-89 § 4 renumbered § 505 as § 502.

Cross-reference: FSM Const., art. X, § 2(d). The provisions of the Constitution are found in Part I of this code.

The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on the FSM Supreme Court and the Judiciary are found in title 4 of this code.

The website of the FSM National Government contains announcements, press releases, news, forms, and other information on the National Government at <http://fsmgov.org>.

The official website of the Congress of the Federated States of Micronesia contains the public laws enacted by the Congress, sessions, committee hearings, and other Congressional information at <http://www.fsmcongress.fm/>.

The FSM Supreme Court website contains court decisions, rules, calendar, and other information of the court, the Constitution, the code of the Federated States of Micronesia, and other legal resource information at <http://www.fsmsupremecourt.org/>.

§ 502. Confirmation required before performance of duties.

No nominee for an appointive position in the National Government may enter upon or in any manner undertake to perform the duties and responsibilities of such position prior to confirmation in the form of advice and consent by the Congress.

Source: PL 1-120 § 2; renumbered by PL 7-89 § 4.