AN ACT

To amend Public Law No. 12-13, as enacted, to extend the moratorium on the immigration of certain alien workers, and for other purposes.

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

Section 1. Section 2 of Public Law No. 12-13, as enacted, is hereby amended to read as follows:

"Section 2. Moratorium on Entry of Noncitizen Workers.

(1) Within ninety (90) days of this act becoming law, and annually thereafter on January first of each year, the President of the Federated States of Micronesia shall, upon the recommendation of the Department of Economic Affairs and after consultation with each State's Governor, declare those specific occupations and industries in the FSM for which there are insufficient trained FSM citizens. Such declaration shall be issued pursuant to section 102(1) of title 17 of the Code of the Federated States of Micronesia. Beginning January 1, 2003, such declaration shall be based on statistical information ascertained by the Department of Economic Affairs from relevant state and national government organizations.

(2) [Thereafter, except] Except as otherwise provided by law or pursuant to the terms of any treaty, Compact,
or other international agreement, for a period of one
year from the date of enactment of this act, the entry
of additional noncitizen alien workers into the FSM for
the purpose of employment in occupations and industries
in the FSM shall be limited to entry for employment in
those occupations and industries for which there are
insufficient trained FSM citizen workers, as declared by
the President. This restriction shall apply through
December 13, 2002. From December 14, 2002 through
December 31, 2003, the entry of additional noncitizen
alien workers into the FSM for the purpose of employment
shall be limited to 'professionals', as that term shall
be defined in regulations issued pursuant to section
102(1) of title 17 of the Code of the Federated States
of Micronesia. [The list of specific occupations and
industries for which there are insufficient trained FSM
citizens shall be updated and published annually by
regulation by the President.]

[2][3] The entry of noncitizen alien workers into the
FSM for the purpose of employment, and the issuance of
nonresident worker's identification certificates, shall
be in strict accordance with the provisions of titles 50
and 51 of the Code of the Federated States of
Micronesia.

[3][4] The Chief of the [FSM]Division of Immigration and
Labor, through the Secretary of Justice, shall report bi-annually, on December first and June first of each year, to the President and to the Congress, including to the Chairman of the Judiciary and Governmental Operations Committee of the Congress, on the total number of noncitizen alien workers present in the FSM. Such report shall include, at a minimum, the number of such workers by nationality, industry, occupation, and job title, and such other information and statistical comparisons as the Chief and the Secretary deem relevant to the goal of reducing the FSM's dependence on noncitizen alien workers.

[(44)](5) Thirty (30) days prior to publication of the annual update of the list of specific occupations and industries for which there are insufficient trained FSM citizens required under subsection (1) of this section, the Secretary of the Department of Economic Affairs shall report to the President [of the FSM] and to the Congress on the effect that any restriction on the entry of noncitizen workers has had on the economy of the FSM during the prior year."
Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 10/30/02        Introduced by: /S/ Peter M. Christian

Peter M. Christian