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A BILL FOR AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 4-25 and 4-68, by amending sections 102, 103, 104, 107, and 110, relating to entry permits and noncitizen registration, and for other purposes.

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

1 Section 1. Section 102 of title 50 of the Code of the Federated
2 States of Micronesia is hereby amended to read as follows:

3 "Section 102. Entry permits - Required. No noncitizen,
4 vessel, or aircraft, unless specifically exempted by
5 applicable law ~~and~~ or regulations, shall enter or otherwise
6 remain in the Federated States of Micronesia without having
7 been issued an appropriate entry permit except for ~~duly~~
8 ~~accredited diplomatic personnel and their spouses and~~
9 ~~unmarried children under the age of eighteen~~ officials,
10 employees, and contractual personnel of foreign governments
11 and governmental regional or international organizations,
12 and their spouses, dependents and household members, to the
13 extent the President or his designee determines such
14 exemptions are granted by law or international treaty
15 obligations of the Federated States of Micronesia. Entry
16 permits to visit or otherwise remain in the Federated
17 States of Micronesia shall be issued by the President in
18 accordance with laws and regulations to be promulgated or
19 issued pursuant to this chapter."

20 Section 2. Section 103 of title 50 of the Code of the Federated
21 States of Micronesia is hereby amended to read as follows:

22 "Section 103. Entry permits - Types.

23 (1) A permit is not required for a person visiting
24 for thirty days or less. For a visit in excess of thirty
25 days a permit may be issued for an additional period not to

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1 exceed sixty days; except that, with respect to U.S.
2 citizens, for the effective period of the Compact of Free
3 Association, a visitor's permit may be issued for the
4 duration of the visit which shall not exceed 365 days.

5 (2) A visitor's permit for any lawful purpose,
6 including performance of necessary services on a short-term
7 contractual basis, may be issued for a period of specified
8 duration reflecting the time necessary to accomplish the
9 purpose.

10 (3) A student permit shall be issued for a specified
11 duration reflecting a student's enrollment in a school or
12 educational program.

13 (4) A foreign government official's permit shall be
14 issued to any official, employee, or contractual personnel
15 of a foreign government or governmental regional or
16 international organization who wishes to enter the
17 Federated States of Micronesia for purposes of official
18 governmental activities and who is not entitled to enter
19 the Federated States of Micronesia without a permit under
20 section 102 of this chapter.

21 (5) An alien worker's permit shall be issued to a
22 noncitizen entering the Federated States of Micronesia upon
23 compliance with all National laws relating to private or
24 governmental employment for the period in which the
25 employment of the alien worker is authorized by contract.

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1 The permit shall be renewed upon extension or renewal of
2 the alien's lawful employment status.

3 (46) A foreign investor's entry permit shall be
4 issued for a specified duration and may be renewed upon
5 renewal or extension of such foreign investor's business
6 permit.

7 (57) A researcher's entry permit shall be issued for
8 research in the fields of endeavor that the President deems
9 in the best interest of and for the well-being of the
10 citizens of the Federated States of Micronesia; provided
11 that the President receives from the researcher's intended
12 place of stay prior permission for his entry. The
13 President may attach thereto such conditions or
14 restrictions as he deems necessary.

15 (68) A missionary's permit shall be issued to a
16 duly ordained, licensed, and certified minister or
17 clergyman. A missionary's permit may also be issued to
18 persons whose activities are substantially connected with
19 religious or missionary work as determined by the President.

20 (79) An entry permit shall be issued to a lawful
21 spouse of a citizen. The permit shall be revoked or shall
22 be denied upon a finding that the parties are divorced or
23 irreconcilably separated, or that the citizen-spouse is
24 deceased. The President or his designee has the authority
25 to grant or reissue the permit for indefinite duration upon

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1 a finding of hardship.

2 (¶10) A dependent's entry permit may be issued to an
3 unmarried child, under the age of eighteen, of a citizen
4 or a noncitizen spouse subject to the conditions in
5 subsection (79) of this section.

6 (¶11) A spouse or unmarried child under the age of
7 eighteen of any noncitizen principal listed in this section
8 except subsection (¶10) may be issued an entry permit for
9 the duration of the principal's entry permit and may be
10 renewed upon renewal of the principal's entry permit."

11 Section 3. Section 104 of title 50 of the Code of the Federated
12 States of Micronesia is hereby amended to read as follows:

13 "Section 104. Entry permits - Duration; Habitual
14 residence; Change of status.

15 (1) Unless otherwise specified, all entry permits are
16 limited to one year maximum period with provision for
17 renewal.

18 (2) A noncitizen who remains in the Federated States
19 of Micronesia as a visitor under section 103(1) for 1 year
20 or more shall be classified as a habitual resident. A
21 habitual resident may be present in the Federated States of
22 Micronesia only for 30 day visits as permitted by section
23 103(1) of this chapter or for a longer period of time as
24 permitted by section 103(2), (3), (4), (5), (6), (7), (8),
25 (9), (10) or (11) of this chapter.

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1 (23) The immigration status of any noncitizen
2 entering or residing in the Federated States of Micronesia
3 may not be changed during his stay in the Federated States
4 of Micronesia except upon written authorization by the
5 President or his designee. For the noncitizen to change
6 status, he shall be required either to pay \$200 to the
7 Federated States of Micronesia or to leave the jurisdiction
8 of the Federated States of Micronesia and upon re-entry
9 apply for a permit reflecting his changed status. The
10 President may impose conditions for such change of status."

11 Section 4. Section 107 of title 50 of the Code of the Federated
12 States of Micronesia is hereby amended to read as follows:

13 "Section 107. Entry permits - Standards of exclusion and
14 deportation.

15 (1) The President may deny entry without a permit,
16 deny renewal of entry without a permit, deny an entry
17 permit, revoke or deny renewal of an entry permit, or
18 deport any noncitizen for any of the following reasons:

19 (1)(a) the willful furnishing of false, incomplete,
20 ~~and~~ or misleading material information in an application
21 for a permit; or

22 (2)(b) the advocacy of the unlawful overthrow of
23 the Government of the Federated States of Micronesia; or

24 (3)(c) commission of or attempt or preparation to
25 commit an act of treason or armed insurrection against the

1 Government of the Federated States of Micronesia or
2 conspiring with or abetting or aiding another to commit
3 such an act; or

4 (A)(d) performing or attempting to perform duties
5 or otherwise acting so as to serve the interests of another
6 government to the detriment of the Governments of the
7 Federated States of Micronesia; *provided that this*
8 *provision shall not apply to an employee of the Trust*
9 *Territory Government when acting in an official capacity nor*
10 *to an employee of the United States Government or any*
11 *agency thereof when acting in an official capacity, unless*
12 *the employee is acting in violation of the law of the*
13 *Federated States of Micronesia, or*

14 (B)(e) deliberate unauthorized disclosure of
15 confidential Government information; or

16 (C)(f) entry made on a counterfeit or false permit;
17 or

18 (D)(g) serious mental irresponsibility evidenced by
19 having been adjudged insane or mentally irresponsible, or
20 incompetent, or being a chronic alcoholic, or having been
21 treated for serious mental or neurological disorders or for
22 chronic alcoholism; or

23 (E)(h) addiction to the use of narcotic drugs; or

24 (F)(i) carrying a serious communicable disease; or

25 (G)(j) conviction of a felony or a crime involving

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1 moral turpitude as defined by the laws of the place where
2 conviction took place; or

3 (II)(k) a finding by the President that the entry of
4 the applicant or his presence in the Federated States of
5 Micronesia would not be in the best interest of the
6 Government of the Federated States of Micronesia, *provided*
7 *that this provision shall not apply to an employee of the*
8 *Trust Territory Government when acting in an official*
9 *capacity nor to an employee of the United States Government*
10 *or any agency thereof when acting in an official capacity,*
11 *unless the employee is acting in violation of the law of*
12 *the Federated States of Micronesia.*

13 (2) The provisions of subsection (1) of this section
14 shall apply to every person, except to the extent law or
15 international treaty obligations of the Federated States of
16 Micronesia provide otherwise."

17 Section 5. Section 110 of title 50 of the Code of the Federated
18 States of Micronesia is hereby amended to read as follows:

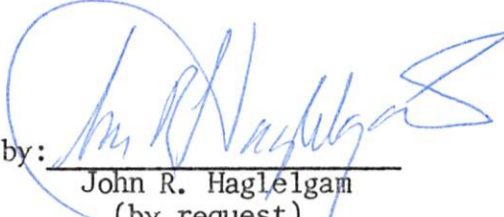
19 "Section 110. Alien Noncitizen registration. The President
20 shall by regulations provide for annual *alien* registration
21 of noncitizens residing in the Federated States of
22 Micronesia, except for those noncitizens who are exempted
23 from registration by law or international treaty
24 obligations of the Federated States of Micronesia as
25 determined by the President or his designee."

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

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5 Date: 1/18/87

Introduced by: 
John R. Hagelgam
(by request)

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