

JGO

A BILL FOR AN ACT

To amend title 7 of the Code of the Federated States of Micronesia by repealing chapter 1 in its entirety; by renumbering chapter 2; by adding a new chapter 2 relating to permanent resident status; and for other purposes.

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

1 Section 1. Chapter 1 of title 7 of the Code of the Federated
2 States of Micronesia is hereby repealed in its entirety.

3 Section 2. Chapter 2 of title 7 of the Code of the Federated
4 States of Micronesia is hereby renumbered as chapter 1.

5 Section 3. Section 201 of title 7 of the Code of the Federated
6 States of Micronesia is hereby amended to read as follows:

7 "Section ~~201~~101. Short title. This chapter is known and
8 may be cited as the Citizenship and ~~Naturalization~~ Residency Act."

9 Section 4. Section 202 of title 7 of the Code of the Federated
10 States of Micronesia is hereby amended to read as follows:

11 "Section ~~202~~102. Citizenship. The following are citizens
12 of the Federated States of Micronesia:

13 (1) a person who is a citizen of the Trust
14 Territory of the Pacific Islands immediately
15 prior to the effective date of the Constitution and a
16 domiciliary of a district ratifying the Constitution
17 of the Federated States of Micronesia;

18 (2) a person born, at any time, of parents one or both
19 of whom are citizens of the Federated States of Micronesia;
20 and

21 (3) a person who becomes a citizen pursuant to section
22 4 or 5 of article III of the Constitution."

23 Section 5. Section 203 of title 7 of the Code of the Federated
24 States of Micronesia is hereby amended to read as follows:

25 "Section ~~203~~103. Dual citizenship is prohibited. A citizen of

1 the Federated States of Micronesia who is recognized as a
2 citizen of another nation shall, within three years of his
3 eighteenth birthday, or within three years of the effective
4 date of the Constitution, whichever is later, register his
5 intent to remain a citizen of the Federated States of
6 Micronesia with the President or his designee in a manner
7 and form prescribed by law or regulation and renounce his
8 citizenship of another nation. If he fails to comply with
9 this section, he becomes a national of the Federated
10 States of Micronesia."

11 Section 6. Section 204 of title 7 of the Code of the Federated
12 States of Micronesia is hereby repealed in its entirety and a new
13 section 104 is hereby enacted to read as follows:

14 "Section 104. Naturalization prohibited. Naturalization
15 of a noncitizen of the Federated States of Micronesia
16 is prohibited."

17 Section 7. Section 207 of title 7 of the Code of the Federated
18 States of Micronesia is hereby amended to read as follows:

19 "Section 207105. Regulations. The President may, from time
20 to time, issue such regulations as are reasonably necessary
21 to implement the provisions of this chapter."

22 Section 8. Sections 205, 206, and 208 of title 7 of the Code of
23 the Federated States of Micronesia are hereby repealed in their
24 entirety.

25 Section 9. Title 7 of the Code of the Federated States of

1 Micronesia is hereby amended by the addition of a new chapter 2
2 entitled "Permanent Resident Status."

3 Section 10. Title 7 of the Code of the Federated States of
4 Micronesia is hereby amended by the addition of a new section 201 of
5 chapter 2 to read as follows:

6 "Section 201. Permanent resident status. The President of
7 the Federated States of Micronesia, or his designee, may
8 grant permanent resident status to any noncitizen of the
9 Federated States of Micronesia who meets the criteria set
10 forth in this act or any regulation issued in pursuance
11 thereof."

12 Section 11. Title 7 of the Code of the Federated States of
13 Micronesia is hereby amended by the addition of a new section
14 202 of chapter 2 to read as follows:

15 "Section 202. Eligibility criteria. In order to be
16 eligible to become a permanent resident of the Federated
17 States of Micronesia, a noncitizen shall:

18 (1) Submit an application form to the Immigration
19 Office of the National Government of the Federated
20 States of Micronesia along with a non-refundable application
21 fee of \$2,500 per person;

22 (2) Submit a police clearance record showing that the
23 applicant has not been convicted of a felony or of a crime
24 of moral turpitude;

25 (3) Submit a sworn statement that he will not seek

1 employment from the Government of the Federated States of
2 Micronesia or from any private business, corporation,
3 enterprise, firm, association, cooperative, or any
4 organization; and that he will be able at all times to
5 support himself and/or his family by his own resources;

6 (4) Submit a sworn statement that he shall not
7 participate in, either directly or indirectly, the
8 commission of, or attempt, or preparation to commit an act
9 of treason or armed insurrection against the Government
10 of the Federated States of Micronesia, or against any
11 political subdivision thereof, or conspiring with or
12 abetting or aiding another to commit such an act;

13 (5) Submit a sworn statement to the effect that he
14 and members of his family, if any, shall not run for or hold
15 any public office at any level of government in the
16 Federated States of Micronesia; and

17 (6) Submit a certified copy of a resolution passed by
18 the legislature of at least one State of the Federated
19 States of Micronesia supporting his application for
20 permanent resident status."

21 Section 12. Title 7 of the Code of the Federated States of
22 Micronesia is hereby amended by the addition of a new section 203 of
23 chapter 2 to read as follows:

24 "Section 203. Waiver. The President may waive the fee
25 required by subsection (1) of section 202 of this chapter

1 and all requirements of subsection (3) of section 202 of
2 this chapter if an applicant for permanent resident status
3 was employed by any level or branch of government on
4 the effective date of this act and the President certifies
5 that it would be in the National interest to grant such
6 waivers. "

7 Section 13. Title 7 of the Code of the Federated States of
8 Micronesia is hereby amended by the addition of a new section 204 of
9 chapter 2 to read as follows:

10 "Section 204. Quota. The President of the Federated States
11 of Micronesia, or his designee, shall establish the number
12 of permanent resident applications to be approved per
13 annum, subject to the approval of the Congress of the
14 Federated States of Micronesia. In considering any
15 permanent resident application, consideration should be
16 given to the benefit the Federated States of Micronesia
17 shall derive from the applicant; the detriment, if any,
18 that the Federated States of Micronesia may suffer by
19 conferring permanent resident status to the applicant;
20 and the social, economic, political, and educational impact
21 of such application on the people of the Federated States of
22 Micronesia."

23 Section 14. Title 7 of the Code of the Federated States of
24 Micronesia is hereby amended by the addition of a new section 205 of
25 chapter 2 to read as follows:

1 "Section 205. Rights of permanent residents. A permanent
2 resident of the Federated States of Micronesia shall enjoy
3 the same rights and privileges accorded to citizens of the
4 Federated States of Micronesia, except that he shall be
5 ineligible to hold title to land or waters, or both, and he
6 and members of his family shall be ineligible to hold any
7 public office at any level of government in the Federated
8 States of Micronesia. Notwithstanding the provision of this
9 section, a permanent resident of the Federated States of
10 Micronesia, who is a citizen of a country other than the
11 United States of America shall not use his status as
12 permanent resident of the Federated States of Micronesia as
13 justification for entry into the United States."

14 Section 15. Title 7 of the Code of the Federated States of
15 Micronesia is hereby amended by the addition of a new section 206 of
16 chapter 2 to read as follows:

17 "Section 206. Revocation of permanent resident status. A
18 permanent resident status may be revoked by the President
19 of the Federated States of Micronesia, or his designee,
20 and the holder thereof may be deported for any of the
21 following reasons:

22 (1) The willful furnishing of false, incomplete, and
23 misleading information in an application for permanent
24 resident status;

25 (2) The advocacy of the unlawful overthrow of the

1 Government of the Federated States of Micronesia;

2 (3) The commission of or attempt or preparation to
3 commit an act of treason or armed insurrection against
4 the Government of the Federated States of Micronesia or
5 conspiring with or abetting or aiding another to commit
6 such an act;

7 (4) Performing or attempting to perform duties or
8 otherwise acting so as to serve the interests of another
9 Government of the Federated States of Micronesia; PROVIDED
10 that this provision shall not apply to an employee of the
11 United States Government or any agency thereof when acting
12 in an official capacity, unless the employee is acting in
13 violation of the laws of the Federated States of Micronesia;

14 (5) Deliberate unauthorized disclosure of confidential
15 Government information;

16 (6) Serious mental irresponsibility evidenced by
17 having been adjudged insane or mentally irresponsible, or
18 incompetent or being a chronic alcoholic, or having been
19 treated for serious mental or neurological disorders or
20 chronic alcoholism;

21 (7) Addiction to the use of narcotic drugs;

22 (8) Carrying a serious communicable disease;

23 (9) Conviction of a felony or a crime involving moral
24 turpitude as defined by the laws of the place where
25 conviction took place; or

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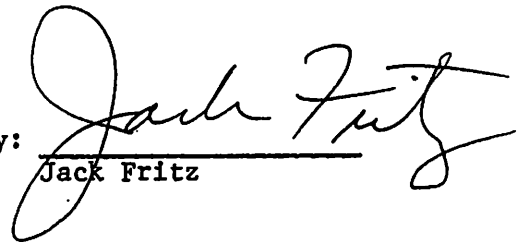
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1 (10) A finding by the President that continued
2 presence of such noncitizen would not be in the best
3 interest of the Government of the Federated States of
4 Micronesia. The President may deport a noncitizen as
5 a persona non grata."

6 Section 16. This act shall become law upon approval by the
7 President of the Federated States of Micronesia or upon its becoming
8 law without such approval.

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10 Date: 6/3/87

Introduced by:


Jack Fritz

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