

AN ACT

To amend section 202 of title 7 of the Code of the Federated States of Micronesia (Annotated), to align the statute with the dual citizenship constitutional amendment, and to further amend section 203 of title 7 of the Code of the Federated States of Micronesia (Annotated), as amended by Public Law No. 19-91, by removing the provision which requires a FSM citizen entitled to foreign citizenship to register their intent to remain an FSM citizen within three years of their eighteenth birthday and insert a new section 203 to establish that FSM Citizens whom have knowingly renounced their FSM Citizenship are FSM Nationals and are eligible to apply to regain FSM Citizenship in accordance with the naturalization process under section 204(1) of title 7 of the Code of the Federated States of Micronesia (Annotated), and to amend section 204 of title 7 of the Code of the Federated States of Micronesia (Annotated) to remove the provision that requires a FSM national or child of FSM citizen to renounce all previous citizenship and allegiance to all foreign powers upon naturalization, and to amend section 206 of title 7 of the Code of the Federated States of Micronesia (Annotated), to remove the provision that a FSM citizen can lose FSM citizenship if obtain naturalization in a foreign state, take an oath of allegiance to a foreign state, or vote in a foreign state election, and for other purposes.

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

1           Section 1. Section 202 of title 7 of the Code of the  
2 Federated States of Micronesia (Annotated), is hereby amended  
3 to read as follows:

4           "Section 202. Citizenship.

5           (1) For all official purposes, a citizen of the  
6 Federated States of Micronesia as defined by the  
7 relevant provisions of this chapter shall be referred to  
8 as a Micronesian citizen" or, in the alternative,  
9 "Micronesian".

1                   (2) The following are citizens of the Federated  
2 States of Micronesia:

3                   (a) a person who is a citizen of the Trust  
4 Territory of the Pacific Islands immediately prior to  
5 the effective date of the Constitution and a domiciliary  
6 of a district ratifying the Constitution of the  
7 Federated States of Micronesia;

8                   (b) a person born, at any time, of parents one or  
9 both of whom are citizens of the Federated States of  
10 Micronesia; and

11                   (c) a person who becomes a citizen pursuant to  
12 section 4 of article III of the Constitution.”

13           Section 2. Section 203 of title 7 of the Code of the  
14 Federated States of Micronesia (Annotated), as amended by Public  
15 Law No. 19-91, is hereby further amended to read as follows:

16                   “Section 203. Renunciation of FSM Citizenship.  
17 A FSM citizen, who knowingly renounced his or her FSM  
18 citizenship, shall be a FSM national. A FSM national,  
19 who knowingly renounced his or her FSM citizenship, is  
20 eligible to apply for naturalization subject to the  
21 conditions under section 204(1) of title 7 of the Code  
22 of the Federated States of Micronesia.”

23           Section 3. Section 204 of title 7 of the Code of the  
24 Federated States of Micronesia (Annotated), is hereby amended  
25 to read as follows:

1           "Section 204. Naturalization.

2           (1) A person may be naturalized as a citizen of the  
3           Federated States of Micronesia in a manner or form  
4           prescribed by laws or regulation if the person:

5           (a) shall have lawfully resided within the  
6           Federated States of Micronesia, whether prior or  
7           subsequent to the effective date of the Constitution,  
8           for at least five years immediately preceding the date  
9           of filing his petition for naturalization;

10          (b) is a child of a citizen, or is a national, of  
11          the Federated States of Micronesia;

12          (c) upon naturalization, shall take an oath of  
13          allegiance in a manner and form prescribed by law or  
14          regulation;

15          (d) has competence in at least one of the  
16          indigenous languages of the Federated States of  
17          Micronesia evidenced by passing a language examination  
18          prepared and administered by the President or his  
19          designees; and

20          (e) has not been convicted of a felony as defined  
21          by the laws of the place where conviction took place.

22          (2) The President, on Congress' recommendation by  
23          bill, may naturalize a person as a citizen of the  
24          Federated States of Micronesia in a manner or form  
25          prescribed by law or regulation if the person:

1 (a) is in compliance with the criteria set out in  
2 subsections 204(1)(a), (c), (d) and (e) of this section;

3 (b) upon naturalization, shall have renounce all  
4 previous citizenship and allegiance to foreign powers  
5 and countries, and submitted positive and verifiable  
6 documentary evidence of said renunciations; and

7 (c) is a spouse of a citizen of the Federated  
8 States of Micronesia."

9 Section 4. Section 206 of title 7 of the Code of the  
10 Federated States of Micronesia (Annotated), is hereby amended  
11 to read as follows:

12 "Section 206. Loss of Citizenship.

13 (1) No citizen of the Federated States of Micronesia  
14 may be deprived of his or her citizenship unless  
15 subsequent to attaining such citizenship:

16 (a) he or she shall voluntarily enter, or serve  
17 in, the armed forces of a foreign state, provided,  
18 however, that he may serve in the Armed Forces of the  
19 United States of America without loss of citizenship  
20 during the remainder of the Trusteeship Agreement, any  
21 future relationship of free association with the United  
22 States, and thereafter as may be required by his prior  
23 enlistment or contract;

24 (b) he or she shall, if over 18 years of age,  
25 voluntarily make a formal renunciation of the Federated

1 States of Micronesia citizenship.

2 (2) Whenever the loss of Federated States of  
3 Micronesia citizenship is put in issue in any action or  
4 proceeding, the person or party claiming that such loss  
5 occurred must establish such claim by preponderance of  
6 the evidence.”

7 Section 5. This act shall become law with the approval of  
8 the President of the Federated States of Micronesia or by its  
9 becoming law without such approval.

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12 December 11, 2024

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16 /s/ Wesley W. Simina  
17 Wesley W. Simina  
18 President  
19 Federated States of Micronesia

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