



The President
Palikir, Pohnpei
Federated States of Micronesia

PRESIDENTIAL COMM. NO. 23-528
FSM CONGRESS

December 11, 2024



The Honorable Esmond B. Moses
Speaker
Twenty-Third Congress
Federated States of Micronesia
Palikir, Pohnpei FM 96941

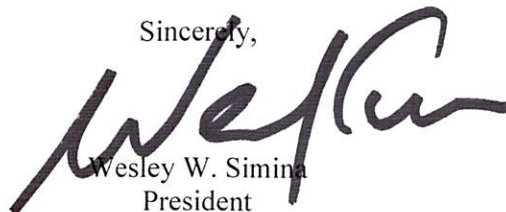
Dear Speaker Moses:

I am pleased to transmit the following act, which I have signed to become Public Law No. 23-140 :

Congressional Act No. 23-137, entitled: "AN ACT OT 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."

May I take this opportunity to congratulate and thank the 23rd FSM Congress for the passage of this important legislation to implement the constitutional amendment on dual citizenship.

Sincerely,


Wesley W. Simina
President

xc: Chief Justice, Supreme Court



Office of the Chief Clerk

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 23-528
FSM CONGRESS

November 20, 2024

His Excellency Wesley W. Simina
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941



Dear President Simina:

I have the honor to transmit herewith Congressional Act No. 23-137, "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, which was passed by the Twenty-Third Congress of the Federated States of Micronesia, Fourth Special Session, 2024, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

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Jessicalynn Reyes
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures



PRESIDENTIAL COMM. NO. 23-528
FSM CONGRESS

TWENTY- THIRD CONGRESS OF THE
FEDERATED STATES OF MICRONESIA
FOURTH SPECIAL SESSION
NOVEMBER 12 - 21, 2024

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.

INTRODUCED BY SENATOR: QUINCY LAWRENCE (BY REQUEST)

DATE: JANUARY 8, 2024

REFERRED TO: JUDICIARY & GOVERNMENTAL OPERATIONS COMMITTEE
S.C.R. NO. 23-70 – MAY 30, 2024

FIRST READING: NOVEMBER 15, 2024

SECOND READING: NOVEMBER 18, 2024

A handwritten signature in black ink, appearing to read "Jessicalynn Reyes", is written over a horizontal line.

Jessicalynn Reyes
Chief Clerk, FSM Congress



Office of the Speaker

CONGRESS OF THE FEDERATED STATES OF MICRONESIA

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PRESIDENTIAL COMM. NO. 23-528
FSM CONGRESS

ACT NO. 23-137

(CONGRESSIONAL BILL NO. 23-66, C.D.1, C.D.2)

We hereby certify that on November 18 the foregoing act passed Second and Final Reading of the Twenty-Third Congress of the Federated States of Micronesia, Fourth Special Session, 2024, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

A handwritten signature in black ink, appearing to read "Esmond B. Moses".

Esmond B. Moses
Speaker
Congress of the
Federated States of Micronesia

A large, stylized handwritten signature in black ink, appearing to read "Jessicalynn Reyes".

Jessicalynn Reyes
Chief Clerk
Congress of the
Federated States of Micronesia

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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December 11, 2024

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Wesley W. Simi
President
Federated States of Micronesia

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