To further amend title 50 of the Code of the Federated States of Micronesia, as amended, by further amending section 103, as amended by Public Law Nos. 5-54 and 5-105, by further amending section 104, as amended by Public Law Nos. 5-105 and 7-23, to further amend title 51 of the Code of the Federated States of Micronesia, as amended by Public Law Nos. 4-72 and 4-110, by amending section 112 for the purpose of creating a permanent resident entry permit status with immediate work authorization for lawful spouses and children of citizens of the Federated States of Micronesia, citizens of the United States, and non-citizens who have resided in the Federated States of Micronesia for a ten-year period, and for other purposes.

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

Section 1. Section 103 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Law Nos. 5-54, 5-105 and 10-14 is hereby further amended to read as follows:

"Section 103. Entry permits - Types.

(1) A permit is not required for a person visiting for thirty days or less. For a visit in excess of thirty days a permit may be issued for an additional period not to exceed sixty days; except that, with respect to citizens and nationals of the United States of America, for the effective period of the Compact of Free Association, a permit may be issued for a period not to exceed three years, subject to renewal, and with respect to citizens and nationals of the Republic of the Marshall Islands and the Republic of Palau, a permit may be issued for the duration of the visit which shall not exceed 365 days.

(2) A visitor's permit for any lawful purpose, including performance of necessary services on a short-term contractual basis, may be issued for a period of specified duration reflecting the time necessary to accomplish the purpose."
(3) A student permit shall be issued for a specified duration reflecting a student's enrollment in a school or educational program.

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

(5) Notwithstanding any provision of subsections (1) and (2) of this section, a person entering the Federated States of Micronesia for the purpose of engaging in wholesale or retail sales of goods or services, or for the purpose of taking orders for the purchase of goods or services, without establishing a place of habitation or a place of business within the Federated States of Micronesia, shall be issued a salesperson's permit; PROVIDED, however, that this subsection shall not apply to any person who has a foreign investor's permit pursuant to subsection (7) of this section.

(6) An alien worker's permit shall be issued to a noncitizen entering the Federated States of Micronesia
upon compliance with all National laws relating to private or governmental employment for the period in which the employment of the alien worker is authorized by contract. The permit shall be renewed upon extension or renewal of the alien's lawful employment status.

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

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

(9) A missionary's permit shall be issued to a duly ordained, licensed, and certified minister or clergyman.

(10) (a) A permanent resident entry permit shall be issued to a non-citizen who:

(i) is a lawful spouse or lawful child of a citizen. The permit shall be revoked or shall be denied upon a finding that the parties are divorced or irreconcilably separated, or that the citizen-spouse is
deceased. The President or his designee has the
authority to grant or reissue the permit for indefinite
duration upon a finding of hardship.

(ii) is a citizen of the United States; or

(iii) has, for a continuous ten-year period

immediately prior to the date of application for
permanent resident status, established the Federated
States of Micronesia as his principal place of
residence or domicile or has continuously resided in
the Federated States of Micronesia. The lawful, minor
children of a non-citizen who is issued a permanent
resident entry permit shall be issued a permanent
resident entry permit.

(b) Upon the issuance of a permanent resident entry
permit, lawful employment status shall be conferred
upon such non-citizen who shall be immediately
entitled to work authorization. The President or
his designee has the authority to grant, reissue, or
revoke a permanent resident entry permit.

(c) A permanent resident entry permit shall be
limited to a three-year period with provision for
renewal.

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

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

Section 2. Section 104 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Law Nos. 5-105 and 7-23, is hereby further amended to read as follows:

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

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

Except for citizens of the United States, a noncitizen who remains in the Federated States of Micronesia as a visitor under section 103(1) for 1 year or more shall be classified as a habitual resident. A habitual resident may be present in the Federated States of Micronesia only for 30 day visits as permitted by
section 103(1) of this chapter or for a longer period of
time as permitted by section 103 (1), (2), (3), (4),
(5), (6), (7), (8), (9), (10), (11) or (12) of this
chapter. The immigration status of any noncitizen
entering or residing in the Federated States of
Micronesia may not be changed during his stay in the
Federated States of Micronesia except upon written
authorization by the President or his designee. For
the noncitizen to change status, he shall be required
to leave the jurisdiction of the Federated States of
Micronesia and return to his country of origin and upon
re-entry apply for a permit reflecting his changed
status., except that in the case of a noncitizen who
seeks to change his status to that of a permanent
resident, this requirement shall not apply. Departure
from the jurisdiction of the Federated States of
Micronesia is required in addition to, and not as a
substitute for, any requirements of the desired new
status. The President may impose conditions for such
change of status. *Married to an FSM citizen or alien who is a
basic/essential employee/official or family member."

Section 3. Section 112 of title 51 of the Code of the
Federated States of Micronesia is hereby amended to read as follows:

"Section 112. Definitions. For the purposes of this
chapter, unless it is otherwise provided or the context
requires a different construction, application, or meaning:

(1) "Available" means able to be on the island on which the employer desires workers on the date the employer states the workers are desired.

(2) "Chief" means the chief of the Division of Labor within the Department of Resources and Development.

(3) "District representative" means any district employment service officer, or any other person designated by the chief to act on his behalf in any district in which there is no district employment service officer.

(4) "Employer" means any individual, partnership, association, or corporation hiring employees in the Trust Territory and any individual who has in his employ a domestic servant, but does not include any branch or agency of the Trust Territory Government or of the United States Government.

(5) "Employment service" means the Trust Territory Employment Service established under section 151 of this chapter.

(6) "Employment service officer" means the official who is the head of the Trust Territory Employment Service established under section 151 of this chapter.
(7) "Nonresident worker" means any person who is capable of performing services or labor and who is not a citizen of the Trust Territory or an immigrant alien admitted to the Trust Territory for permanent resident under the provision of title 50 of this code, including persons acting in a professional, managerial, or executive capacity.

(8) "Resident worker" means any person who is capable of performing services or labor and who is a citizen of the trust Territory or an immigrant alien admitted to the Trust Territory for permanent residence under the provisions of section 103 (10) of title 50 of this code, including, but not limited to, persons acting in a professional, managerial, or executive capacity."

Section 4. 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 11/01/47

Introduced by: [Signature]

Joseph J. Urusemal (by request)