March 19, 2008

The President

Federated States of Micronesia

PRESIDENTIAL COMM. NO. 15-157
FSM CONGRESS

The Honorable Isaac V. Figir
Speaker
15th FSM Congress
Palikir, Pohnpei, FM 96941

Re: Congressional Act No. 15-32

Dear Speaker Figir:

I have designated the following Congressional Act as Public Law No. 15-27.

Congressional Act No. 15-32, "AN ACT TO FURTHER AMEND TITLE 50 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 103 TO PREVENT THE REVOCATION OR DENIAL OF SPOUSE PERMITS FROM NON-CITIZEN SPOUSES OF DECEASED CITIZENS WHO HAVE RESIDED IN THE FEDERATED STATES OF MICRONESIA FOR AT LEAST TWENTY (20) YEARS, AND FOR OTHER PURPOSES."

Sincerely,

Manny Mori
President

Enclosures:

XC: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Legislative Counsel, CFSM
Library, CFSM
Director, SBOC
PIO, FSM
February 26, 2008

His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear Mr. President:

I have the honor to transmit herewith Congressional Act No. 15-32, "AN ACT TO FURTHER AMEND TITLE 50 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 103 TO PREVENT THE REVOCATION OR DENIAL OF SPOUSE PERMITS FROM NON-CITIZEN SPOUSES OF DECEASED CITIZENS WHO HAVE RESIDED IN THE FEDERATED STATES OF MICRONESIA FOR AT LEAST TWENTY (20) YEARS AND FOR OTHER PURPOSES.", which was passed by the Fifteenth Congress of the Federated States of Micronesia, Third Regular Session, 2008, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

[Signature]

Liwiana K. Ramon
Chief Clerk, Congress of the
Federated States of Micronesia

Enclosures
An Act

TO FURTHER AMEND TITLE 50 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 103 TO PREVENT THE REVOCATION OR DENIAL OF SPOUSE PERMITS FROM NON-CITIZEN SPOUSES OF DECEASED CITIZENS WHO HAVE RESIDED IN THE FEDERATED STATES OF MICRONESIA FOR AT LEAST TWENTY (20) YEARS, AND FOR OTHER PURPOSES.

INTRODUCED BY: SENATOR RESIO S. MOSES
DATE: SEPTEMBER 03, 2007

REFERRED TO: JUDICIARY AND GOVERNMENTAL OPERATIONS COMMITTEE
FIRST READING: FEBRUARY 13, 2008
SECOND READING: FEBRUARY 14, 2008

Liwiana K. Ramon
Chief Clerk, FSM Congress
We hereby certify that on February 14 the foregoing act passed Second and Final Reading of the Fifteenth Congress of the Federated States of Micronesia, Third Regular Session, 2008, 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.

Isaac V. Figir  
Speaker  
Congress of the  
Federated States of Micronesia

Liwiana K. Ramon  
Chief Clerk  
Congress of the  
Federated States of Micronesia
To further amend title 50 of the Code of the Federated States of Micronesia, as amended, by amending section 103 to prevent the revocation or denial of spouse permits from non-citizen spouses of deceased citizens who have resided in the Federated States of Micronesia for at least twenty (20) years, and for other purposes.

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

1. Section 103 of title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-105, 10-14, 12-65 and 14-33, 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, and with respect to citizens and nationals of the Republic of the Marshall Islands and the Republic of Palau, a permit is not required 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.
1 (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.

2 (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.

3 (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.

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

5 (10) An entry permit shall be issued to a lawful spouse of a citizen.

6 (a) Subject to this section and any requirements set out in regulations issued pursuant to section 111 of this chapter, a spouse permit holder shall be permitted to
undertake paid employment in the Federated States of Micronesia. In the absence of any regulations on this subject, a spouse permit holder shall be permitted to undertake paid employment in the Federated States of Micronesia only if he or she has been a resident of the Federated States of Micronesia for the 5 years prior to commencing employment and/or has been married to a citizen of the Federated States of Micronesia for the 5 years prior to commencing employment. For the avoidance of doubt, a spouse permit holder may undertake paid employment without obtaining a change of status approval pursuant to section 104 of this chapter, however, such employment must be obtained in accordance with the requirements for hiring non-resident workers contained in title 51 of the Code of the Federated States of Micronesia.

(b) A spouse permit may be revoked or denied, in accordance with the provisions of this chapter, upon a finding that (i) the parties are divorced, the parties are irreconcilably separated, or the citizen-spouse is deceased; and (ii) the revocation or denial is in the best interests of the Federated States of Micronesia, provided that the spouse permit of a noncitizen surviving spouse of a deceased citizen who had been married to the citizen spouse for at least twenty (20)
years, regardless of place of residence during the marriage, shall not be revoked or denied unless the surviving spouse remarries a non-citizen.

(c) Except in extraordinary circumstances, no action to revoke or deny a spouse permit on the grounds of death of the citizen-spouse shall be taken for a period of six months from the date of death of the citizen-spouse.

(11) A dependent's entry permit may be issued to an unmarried child, under the age of 18, 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 5. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

03/19/2008

Manny Mori
President
Federated States of Micronesia