A BILL FOR AN ACT

To further amend title 50 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 4-25 and 4-68, by amending sections 102, 103, 104, 107, and 110, relating to entry permits and noncitizen registration, and for other purposes.

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

Section 1. Section 102 of title 50 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 102. Entry permits - Required. No noncitizen, vessel, or aircraft, unless specifically exempted by applicable law and or regulations, shall enter or otherwise remain in the Federated States of Micronesia without having been issued an appropriate entry permit except for duly accredited diplomatic personnel and their spouses and unaccompanied children under the age of eighteen officials, employees, and contractual personnel of foreign governments and governmental regional or international organizations, and their spouses, dependents and household members, to the extent the President or his designee determines such exemptions are granted by law or international treaty obligations of the Federated States of Micronesia. Entry permits to visit or otherwise remain in the Federated States of Micronesia shall be issued by the President in accordance with laws and regulations to be promulgated or issued pursuant to this chapter."

Section 2. Section 103 of title 50 of the Code of the Federated States of Micronesia is hereby 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 U.S.
citizens, for the effective period of the Compact of Free
Association, a visitor's 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 shall 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) 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.

(6) 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.

(7) 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.

(8) A missionary's permit shall be issued to a
duly ordained, licensed, and certified minister or
clergyman. A missionary's permit may also be issued to
persons whose activities are substantially connected with
religious or missionary work as determined by the President.

(9) An entry permit shall be issued to a lawful
spouse 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.

(§10) 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 (79) of this section.

(§11) A spouse or unmarried child under the age of eighteen of any noncitizen principal listed in this section except subsection (§10) 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 3. Section 104 of title 50 of the Code of the Federated States of Micronesia is hereby 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.

(2) 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(2), (3), (4), (5), (6), (7), (8), (9), (10) or (11) 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 either to pay $200 to the Federated States of Micronesia or to leave the jurisdiction of the Federated States of Micronesia and upon re-entry apply for a permit reflecting his changed status. The President may impose conditions for such change of status."

Section 4. Section 107 of title 50 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 107. Entry permits - Standards of exclusion and deportation.

(1) The President may deny entry without a permit, deny renewal of entry without a permit, deny an entry permit, revoke or deny renewal of an entry permit, or deport any noncitizen for any of the following reasons:

(1)(a) the willful furnishing of false, incomplete, 
and or misleading material information in an application for a permit; or

(1)(b) the advocacy of the unlawful overthrow of the Government of the Federated States of Micronesia; or

(1)(c) commission of or attempt or preparation to commit an act of treason or armed insurrection against the
Government of the Federated States of Micronesia or
conspiring with or abetting or aiding another to commit
such an act; or

[(A)(d)] performing or attempting to perform duties
or otherwise acting so as to serve the interests of another
government to the detriment of the Governments of the
Federated States of Micronesia; provided that this
provision shall not apply to an employee of the Trust
Territory Government when acting in an official capacity not
to an employee of the United States Government or any
agency thereof when acting in an official capacity unless
the employee is acting in violation of the law of the
Federated States of Micronesia or

[(B)(e)] deliberate unauthorized disclosure of
confidential Government information; or

[(B)(f)] entry made on a counterfeit or false permit;
or

[(B)(g)] serious mental irresponsibility evidenced by
having been adjudged insane or mentally irresponsible, or
incompetent, or being a chronic alcoholic, or having been
treated for serious mental or neurological disorders or for
chronic alcoholism; or

[(B)(h)] addiction to the use of narcotic drugs; or

[(B)(i)] carrying a serious communicable disease; or

[(B)(j)] conviction of a felony or a crime involving
moral turpitude as defined by the laws of the place where
conviction took place; or

(III)(k) a finding by the President that the entry of
the applicant or his presence in the Federated States of
Micronesia would not be in the best interest of the
Government of the Federated States of Micronesia, provided
that such provision shall not apply to an employee of the
Trust Territory Government when acting in an official
capacity or to an employee of the United States Government
or any agency thereof when acting in an official capacity
unless the employee is acting in violation of the law of
the Federated States of Micronesia.

(2) The provisions of subsection (1) of this section
shall apply to every person, except to the extent law or
international treaty obligations of the Federated States of
Micronesia provide otherwise."

Section 5. Section 110 of title 50 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 110. Alien Noncitizen registration. The President
shall by regulations provide for annual Alien registration
of noncitizens residing in the Federated States of
Micronesia, except for those noncitizens who are exempted
from registration by law or international treaty
obligations of the Federated States of Micronesia as
determined by the President or his designee."
Section 6. 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: 1/16/87

Introduced by: John R. Hagløfsgård
(by request)