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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. 5-54 and 5-105, by further amending sections 103 and 104, as amended by Public Laws Nos. 5-54 and 5-105, to impose a moratorium on the entry of alien workers into the Federated States of Micronesia, and for other purposes.

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

1 Section 1. The purpose of this act is to impose a moratorium on  
2 the further influx of noncitizen workers, and to allow the Federated  
3 States of Micronesia flexibility in the planning of economic and  
4 educational programs. This act is based on the recognition that it is  
5 imperative that our Nation end its dependency on expensive noncitizen  
6 workers and plan for and develop the resources of the people of the  
7 Federated States of Micronesia.

8 Section 2. Section 103 of title 50 of the Code of the Federated  
9 States of Micronesia, as amended by Public Laws Nos. 5-54 and 5-105,  
10 is hereby further amended to read as follows:

11 "Section 103. Entry permits - Types.

12 (1) A permit is not required for a person visiting for  
13 thirty days or less. For a visit in excess of thirty days  
14 a permit may be issued for an additional period not to  
15 exceed sixty days; except that, with respect to citizens and  
16 nationals of the United States of America, for the  
17 effective period of the Compact of Free Association, a  
18 permit may be issued for the duration of the visit which  
19 shall not exceed 365 days.

20 (2) A visitor's permit for any lawful purpose,  
21 including performance of necessary services on a short-term  
22 contractual basis, may be issued for a period of specified  
23 duration reflecting the time necessary to accomplish the  
24 purpose.

25 (3) A student permit shall be issued for a specified

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1 duration reflecting a student's enrollment in a school or  
2 educational program.

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

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

22 (6) An alien worker's permit shall be issued to a  
23 noncitizen entering the Federated States of Micronesia upon  
24 compliance with all National laws relating to private or  
25 governmental employment for the period in which the

1 employment of the alien worker is authorized by contract.  
2 The permit shall be renewed upon extension or renewal of  
3 the alien's lawful employment status. No alien workers'  
4 permits shall be issued or renewed for the period of  
5 January 1, 1990 through December 31, 1990. All alien  
6 workers who have been previously issued alien work permits  
7 shall report on the first calendar day of each month, or  
8 the first following weekday if the first calendar day  
9 falls on a weekend or holiday, beginning January 2, 1990,  
10 to the Federated States of Micronesia Division of  
11 Immigration. The alien worker shall report his/her current  
12 employment status to the Division. The Division shall have  
13 the authority to waive this provision with respect to  
14 persons, their dependents and household members, who are  
15 offered employment contracts by any local, State or  
16 National Government office or agency or any corporation,  
17 agency or office associated therewith; PROVIDED the  
18 Division of Immigration finds that the person offered the  
19 contract possesses special skills not readily possessed by  
20 citizens of the Federated States of Micronesia.

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

24 (8) A researcher's entry permit shall be issued for  
25 research in the fields of endeavor that the President

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1           deems in the best interest of and for the well-being of the  
2           citizens of the Federated States of Micronesia; provided  
3           that the President receives from the researcher's intended  
4           place of stay prior permission for his entry. The  
5           President may attach thereto such conditions or restrictions  
6           as he deems necessary.

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

9                   (10) An entry permit shall be issued to a lawful  
10                  spouse of a citizen. The permit shall be revoked or shall  
11                  be denied upon a finding that the parties are divorced or  
12                  irreconcilably separated, or that the citizen-spouse is  
13                  deceased. The President or his designee has the authority  
14                  to grant or reissue the permit for indefinite duration upon  
15                  a finding of hardship.

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

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

25           Section 3. Section 104 of title 50 of the Code of the Federated

1 States of Micronesia, as amended by Public Law No. 5-105, is hereby  
2 further amended to read as follows:

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

5 (1) Unless otherwise specified, all entry permits are  
6 limited to one year maximum period with provision for  
7 renewal. Entry permits issued to alien workers in the  
8 private sector shall not be renewable during the period of  
9 January 1, 1990 through December 31, 1990. All alien  
10 workers in the private sector must report, pursuant to  
11 section 103(6) of this chapter, on a monthly basis to the  
12 National Division of Immigration.

13 (2) A noncitizen who remains in the Federated States  
14 of Micronesia as a visitor under section 103(1) for 1 year  
15 or more shall be classified as a habitual resident. A  
16 habitual resident may be present in the Federated States of  
17 Micronesia only for 30 day visits as permitted by section  
18 103(1) of this chapter or for a longer period of time as  
19 permitted by section 103(2), (3), (4), (5), (6), (7), (8),  
20 (9), (10), (11) or (12) of this chapter.

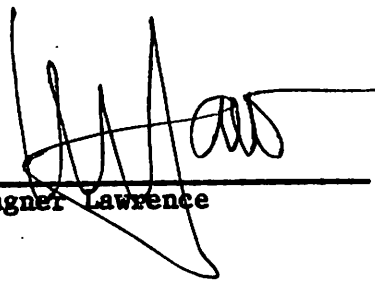
21 (3) The immigration status of any noncitizen entering  
22 or residing in the Federated States of Micronesia may not  
23 be changed during his stay in the Federated States of  
24 Micronesia except upon written authorization by the  
25 President or his designee. For the nocitizen to change

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1 status, he shall be required to leave the jurisdiction of  
 2 the Federated States of Micronesia or pay a fee of \$200 and  
 3 upon re-entry or payment apply for a permit reflecting his  
 4 changed status. Departure from the jurisdiction of the  
 5 Federated States of Micronesia or payment of the fee are  
 6 required in addition to, and not as a substitute for, any  
 7 requirements of the desired new status. The President may  
 8 impose conditions for such change of status."

9 Section 4. This act shall become law upon approval by the  
 10 President of the Federated States of Micronesia or upon its becoming  
 11 law without such approval.

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 13 Date: 11-21-89

Introduced by:   
 Wagner Lawrence

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