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A BILL FOR AN ACT

To amend section 103 of title 50 of the Code of the Federated States of Micronesia (Annotated), as amended, to prohibit issuance of entry permits to spouses and dependents of any noncitizen's principal, except for spouses and dependents of a noncitizen principal on government employment contracts, and for other purposes.

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

1           Section 1. Section 103 of title 50 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended, is hereby  
3 amended to read as follows:

4           "Section 103. Entry permits - Types.

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

15           (2) A visitor's permit for any lawful purpose,  
16 including performance of necessary services on a short-  
17 term contractual basis, may be issued for a period of  
18 specified duration reflecting the time necessary to

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1           accomplish the purpose.

2           (3) A student permit shall be issued for a specified  
3           duration reflecting a student's enrollment in a school  
4           or educational program.

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

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

24          (6) An alien worker's permit shall be issued to a  
25          noncitizen entering the Federated States of Micronesia

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1           upon compliance with all National laws relating to  
2           private or governmental employment for the period in  
3           which the employment of the alien worker is authorized  
4           by contract. The permit shall be renewed upon extension  
5           or renewal of the alien's lawful employment status.

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

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

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

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

21                 (a) Subject to this section and any requirements  
22          set out in regulations issued pursuant to section 111 of  
23          this chapter, a spouse permit holder shall be permitted to  
24          undertake paid employment in the Federated States of  
25          Micronesia. In the absence of any regulations on this

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1           subject, a spouse permit holder shall be permitted to  
2           undertake paid employment in the Federated States of  
3           Micronesia only if he or she has been a resident of the  
4           Federated States of Micronesia for the 5 years prior to  
5           commencing employment and/or has been married to a citizen  
6           of the Federated States of Micronesia for the 5 years  
7           prior to commencing employment. For the avoidance of  
8           doubt, a spouse permit holder may undertake paid  
9           employment without obtaining a change of status approval  
10          pursuant to section 104 of this chapter, however, such  
11          employment must be obtained in accordance with the  
12          requirements for hiring non-resident workers contained in  
13          title 51 of the Code of the Federated States of  
14          Micronesia.

15                 (b) A spouse permit may be revoked or denied, in  
16                 accordance with the provisions of this chapter, upon a  
17                 finding that

18                         (i) the parties are divorced, the parties  
19                         are irreconcilably separated, or the citizen-spouse is  
20                         deceased; and

21                         (ii) the revocation or denial is in the best  
22                         interests of the Federated States of Micronesia.

23                 (c) Except in extraordinary circumstances, no  
24                 action to revoke or deny a spouse permit on the grounds  
25                 of death of the citizen-spouse shall be taken for a

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1 period of six months from the date of death of the  
2 citizen-spouse.

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

7 (12) A spouse or unmarried child under the age of  
8 eighteen of any noncitizen principal on an employment  
9 contract with the Government [~~listed in this section,~~  
10 ~~except subsection (11) of this section~~], may be issued  
11 an entry permit for the duration of the principal's  
12 entry permit. [~~and may be renewed upon renewal of the~~  
13 ~~principal's entry permit~~]."

14 Section 2. This act shall become law upon approval by the  
15 President of the Federated States of Micronesia or upon its  
16 becoming law without such approval.

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18 Date: 9/29/17

Introduced by: /s/ Florencio S. Harper  
Florencio S. Harper  
(by request)

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