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A BILL FOR AN ACT

To further amend title 2 of the Code of the Federated States of Micronesia, as amended, by amending section 206 and to further amend title 50 of the Code, as amended by Public Laws Nos. 5-54, 5-105, 7-23, and 7-38, by amending section 207, for the purpose of establishing that the Department of Resources and Development shall have the duty and the responsibility for administering the Immigration Laws and the Labor Laws of the Federated States of Micronesia effective October 1, 1996, and for other purposes.

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

1 Section 1. The Congress finds that this Nation's laws relating to
2 immigration and labor are closely tied together in so many respects that the
3 laws and regulations governing the same must be made, interpreted,
4 administered, and enforced consistently with each other. The Congress further
5 finds that the department and office now performing these functions
6 separately are not able to do this and are expending duplicate effort in
7 processing the same individual's respective applications. The Congress further
8 finds that these two functions have been administered together in the past and
9 that other nations in the region have found it beneficial to place these two
10 functions under one administration.

11 This act by Congress is not a reflection on the department and office
12 currently administering these responsibilities separately and should not be
13 considered an indication of dissatisfaction with those persons in charge of the
14 offices or with the administrators and employees performing these functions.

15 Section 2. The Department of Resources and Development shall regulate
16 the entry of aliens into the Federated States of Micronesia and their presence
17 therein and shall perform related duties with respect to passports. This
18 Department shall issue permits to non-resident workers and enforce the
19 conditions to which such permits are subject. It shall conduct manpower
20 surveys and prepare analyses of the manpower needs of the Nation. The
21 Department shall perform such other duties, responsibilities, and functions as
22 provided by law and by the administrative directive of the President provided
23 that such directive not be in conflict with the law.

24 Section 3. The President shall submit to Congress in his proposed
25 budget for Fiscal Year 1997, or within thirty (30) days of this act becoming

1 law, whichever comes later, all appropriate and required changes in the
2 allocation of appropriations needed to give effect to this act, and the President
3 shall also submit a written plan within sixty (60) days of the this act becoming
4 law of any changes in the organization of the department, office, division, or
5 staff and in the personnel, equipment, supplies, and other things necessary to
6 provide for the transfer of responsibilities and duties set forth in this act.

7 Section 4. Section 206 of title 2 of the Code of the Federated States of
8 Micronesia is hereby amended to read as follows:

9 "Section 206. Duties, responsibilities, and functions of
10 departments and offices.

11 (1) The respective duties, responsibilities, and functions of
12 each department and office within the organization of the
13 executive branch of the Government of the Federated States of
14 Micronesia shall be as established by, and in accordance with,
15 administrative directive of the President until amended or
16 superseded by law. The President shall also provide for
17 subdivisions of departments and offices and shall set forth the
18 duties, responsibilities, and functions thereof by administrative
19 directive.

20 (2) The Department of Resources and Development shall
21 administer the Immigration and Labor Laws of the Government of
22 the Federated States of Micronesia and shall perform such other
23 duties, responsibilities, and functions as provided by law or by
24 administrative directive of the President provided that such
25 directive not be in conflict with the law."

1 Section 5. Section 207 of title 50 of the Code of the Federated States
2 of Micronesia is hereby amended to read as follows:

3 "Section 207. Passport Revolving Fund.

4 (1) There is created and established the Passport
5 Revolving Fund, hereinafter referred to as the "Fund," separate
6 from the General Fund of the Federated States of Micronesia and
7 all other funds.

8 (2) The purpose of the Fund is to establish an ongoing
9 revolving fund to allow appropriations for, and revenues from, the
10 issuance and renewal of passports to be used for passport
11 issuance and renewal.

12 (3) All future appropriations for, and revenues received
13 from, the issuance and renewal of passports shall be deposited in
14 the Fund; provided, that at no time shall the total amount of
15 monies in the Fund exceed \$40,000; and provided further, that
16 any revenues received from the issuance and renewal of
17 passports which would cause the total amount of monies in the
18 Fund to exceed \$40,000 shall be deposited in the General Fund of
19 the Federated States of Micronesia. Any unexpended monies in
20 this Fund shall not revert to the General Fund nor lapse at the end
21 of the fiscal year.

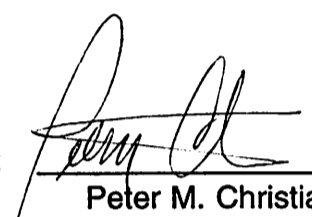
22 (4) The Fund shall be administered by the Chief of the
23 Division of Immigration. The Chief shall, not later than thirty days
24 after the close of each governmental fiscal year, submit to the
25 ~~Attorney General~~ Secretary of the Department of Resources a

1 complete report of the activities and condition of the Fund for the
 2 fiscal year just closed. The ~~Attorney General~~ Secretary of the
 3 Department of Resources shall, within 30 days of receipt of the
 4 report from the Chief, forward the report to the President and
 5 the Congress of the Federated States of Micronesia.

6 (5) The Public Auditor shall audit the Fund at such times as
 7 the Public Auditor deems appropriate."

8 Section 6. Effective date. This act shall become law upon approval by
 9 the President of the Federated States of Micronesia or upon its becoming law
 10 without such approval and, for sections 2, 4, and 5, not before October 1,
 11 1996.

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 13 Date: March 7, 1996

Introduced by: 
 Peter M. Christian

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