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HiCom Vetoes COM Measure On Non-Citizen Permit 'Fronts'

SAIPAN (MNS) - High Commissioner Edward E. Johnston has rejected a bill passed earlier this month by the Congress of Micronesia designed to curb the practice of non-citizens using a Micronesian spouse or adopted child as a "front" to avoid compliance with foreign business permit regulations.

The action came late Friday on the final day of the 10-day period given the HiCom to review and act on the bill.

In a letter to the congressional leadership explaining his action, Johnston says: "We feel that this act is discriminatory against Micronesians who have married or been adopted by non-Trust Territory citizens and are now being subjected to rules and regulations not in effect at the time of their marriage and/or adoption.

"In our opinion, it is unfair and unjust to submit these Micronesian citizens to economic regulations and discriminatory practices which do not apply to their fellow citizens.

"We are, in fact, advised by the Attorney General's office that this law, if enacted, could well be set aside by the courts as being illegal when reviewed from the standpoint of 'equal protection of the law'."

The HiCom says the administration also found objectionable a portion of the proposed law which defines any corporation, company or association in which a person not a TT citizen owns any interest as a "noncitizen" for purposes of the act.

"This provision would tend to act adversely against third party Micronesian corporations without their having any regress," the letter states.

The Congress of Micronesia now may reconsider the vetoed bill if it chooses, and if re-passed by a two-thirds majority of both houses, the legislation would be returned again to the high commissioner. Should he still reject the bill, a final decision on its disposition would be up to the Secretary of the Interior.