

AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by further amending section 507 thereof, as enacted by Public Law No. 9-155 and as amended by Public Law No. 10-57, to further clarify the ineligibility for re-employment of participants in the National Government early retirement program, and for other purposes.

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

Section 1. Section 507 of title 52 of the Code of the Federated States of Micronesia, as enacted by Public Law No. 9-155 and as amended by Public Law No. 10-57, is hereby further amended to read as follows:

"Section 507. Ineligibility for re-employment.

(1) Any employee who receives compensation under the program shall not be eligible for re-employment in any capacity by the National Government or any agency of the National Government prior to September 30, 2001, except that such ineligibility shall not apply to program participants who are re-employed by the National Government in the following positions:

(a) members of the Congress of the Federated States of Micronesia;

(b) the President and Vice President of the Federated States of Micronesia; and

(c) persons appointed to any positions by the President with the advice and consent of the Congress of the Federated States of Micronesia, except that program participants who receive compensation pursuant to section 506(4) of this chapter shall not be eligible for re-employment by the National Government in any position appointed by the President with the advice and consent of Congress prior to September 30, 2001.

(2) For purposes of this section, a person paid from National Government funds to render services for and under the direction of an entity that is not part of the National Government or an agency thereof is not to be considered re-employed by the National Government or an agency thereof notwithstanding the source of such funding and the fact that the person is rendering such services pursuant to a contract signed by a National Government official or employee in the latter's capacity as allottee or suballottee of such funds.

(3) For purposes of this section, a person is not re-employed by the National Government if he has entered into a contract to provide services to the National Government where

(a) the contract is an independent contract; and

(b) the contract is not the primary source of revenue for the contractor during the contract period."

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

CONGRESSIONAL BILL NO. 10-349, C.D.  
**PUBLIC LAW NO. 10-127**

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Jacob Nena  
President  
Federated States of Micronesia