
AN ACT

To provide for immigration control, and for other purposes.

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

1 Section 1. Short Title. This act is known and may be cited as the
2 Immigration Act.

3 Section 2. Entry Permit Required. No noncitizen, vessel, or air-
4 craft, unless specifically exempted by applicable law and regulations,
5 shall enter or otherwise remain in the Federated States of Micronesia
6 without having been issued an appropriate entry permit except for duly
7 accredited diplomatic personnel and their spouses and unmarried children
8 under the age of eighteen. Entry permits to visit or otherwise remain in
9 the Federated States of Micronesia shall be issued by the President in
10 accordance with laws and regulations to be promulgated or issued pursuant
11 to this act.

12 Section 3. Entry Permits-Types.

13 (1) A permit is not required for a person visiting for 30 days
14 or less. For a visit in excess of 30 days a permit may be issued for
15 an additional period not to exceed 60 days.

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

20 (3) A government worker's entry permit shall be issued to a
21 noncitizen entering the Federated States of Micronesia to perform a
22 contract entered into with any office, subdivision or agency of the

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1 National Government or any state or local government for the duration of
2 the employment contract and may be renewed only if the employment contract
3 is renewed and only for the duration of the renewed contract of employment.

4 (4) A private sector alien worker's entry permit shall be issued
5 to a noncitizen upon compliance with all applicable national laws and
6 regulations relating to private employment for the period in which the
7 employment of the alien worker is authorized and the permit shall be
8 renewed upon extension or renewal of the alien's lawful employment status.

9 (5) A foreign investor's entry permit shall be issued for a
10 specified duration and may be renewed upon renewal or extension of such
11 foreign investor's business permit.

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

18 (7) A missionary's permit shall be issued to a duly ordained,
19 licensed and certified minister or clergyman. A missionary's permit may
20 also be issued to persons whose activities are substantially connected
21 with religious or missionary work as determined by the President.

22 (8) An entry permit shall be issued to a lawful spouse of a
23 citizen. The permit shall be revoked or shall be denied upon a finding
24 that the parties are divorced or irreconcilably separated, or that the
25 citizen-spouse is deceased. The President or his designee has the

1 authority to grant or reissue the permit for indefinite duration upon a
2 finding of hardship.

3 (9) A dependent's entry permit may be issued to an unmarried
4 child, under the age of eighteen, or a noncitizen spouse subject to the
5 conditions in Subsection (8) of this section.

6 (10) A spouse or unmarried child under the age of eighteen of
7 any noncitizen principal listed in this section except Subsection (9) may
8 be issued an entry permit for the duration of the principal's entry permit
9 and may be renewed upon renewal of the principal's entry permit.

10 (11) Unless otherwise specified, all entry permits are limited
11 to one year maximum period with provision for renewal.

12 (12) The immigration status of any noncitizen entering or
13 residing in the Federated States of Micronesia may not be changed during
14 his stay in the Federated States of Micronesia except upon written authori-
15 zation by the President or his designee. For the noncitizen to change
16 status, he shall be required to leave the jurisdiction of the Federated
17 States of Micronesia and upon re-entry apply for a permit reflecting his
18 changed status. The President may impose conditions for such change of
19 status.

20 Section 4. Application for Entry Permit. Application for a permit
21 to enter the Federated States of Micronesia shall be made to the President
22 and in such form and manner as he may prescribe from time to time.

23 Section 5. Delegation of Authority. The President may delegate his
24 authority to issue entry permits and to permit entry into the Federated
25 States of Micronesia of persons, vessels and aircraft under the provisions

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1 of this act and regulations promulgated pursuant thereto.

2 Section 6. Standards of Exclusion and Deportation.

3 (1) The President may deny entry without a permit, renewal of
4 entry without a permit, an entry permit, revoke or deny renewal of an
5 entry permit, or deport any noncitizen for any of the following reasons:

6 (a) The willful furnishing of false, incomplete and mis-
7 leading material information in an application for permit; or

8 (b) The advocacy of the unlawful overthrow of the Govern-
9 ment of the Federated States of Micronesia; or

10 (c) Commission of or attempt or preparation to commit an
11 act of treason or armed insurrection against the Government of the
12 Federated States of Micronesia or conspiring with or abetting or aiding
13 another to commit such an act; or

14 (d) Performing or attempting to perform duties or
15 otherwise acting so as to serve the interests of another government to
16 the detriment of the governments of the Federated States of Micronesia
17 provided that this provision shall not apply to an employee of the Trust
18 Territory Government when acting in an official capacity nor to an employee
19 of the United States Government or any agency thereof when acting in an
20 official capacity, unless the employee is acting in violation of the law
21 of the Federated States of Micronesia; or

22 (e) Deliberate unauthorized disclosure of confidential
23 government information; or

24 (f) Entry made on a counterfeit or false permit.

25 (2) The President may deny entry without a permit, renewal of

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1 entry without a permit, an entry permit, revoke or deny renewal of an
2 entry permit or deport any noncitizen for any of the following reasons:

3 (a) Serious mental irresponsibility evidenced by having
4 been adjudged insane or mentally irresponsible, or incompetent, or being a
5 chronic alcoholic, or having been treated for serious mental or
6 neurological disorders or for chronic alcoholism; or

7 (b) Addiction to the use of narcotic drugs; or

8 (c) Carrying a serious communicable disease; or

9 (d) Conviction of a felony or a crime involving moral
10 turpitude as defined by the laws of the place where conviction took place;
11 or

12 (e) A finding by the President that the entry of the
13 applicant or his presence in the Federated States of Micronesia would not
14 be in the best interest of the Government of the Federated States of
15 Micronesia; PROVIDED that this provision shall not apply to an employee of
16 the Trust Territory Government when acting in an official capacity nor to
17 an employee of the United States Government or any agency thereof when
18 acting in an official capacity, unless the employee is acting in violation
19 of the law of the Federated States of Micronesia.

20 Section 7. Immigration Inspection of Vessels and Aircraft. Incoming
21 vessels shall be boarded by the officials authorized by the President who
22 shall examine the Federated States of Micronesia documents of each passen-
23 ger and if the passenger is eligible to enter the Federated States of
24 Micronesia, shall affix to the passport or the Federated States of
25 Micronesia entry permit an official stamp or other writing showing the

1 date and place of entry. The same procedure shall be followed for
2 passengers arriving on aircraft, except inspection shall take place after
3 passengers have disembarked and prior to their departure from airport
4 terminals.

5 Section 8. Ports of Entry. All vessels and aircraft authorized to
6 enter the Federated States of Micronesia must enter and obtain clearance
7 from an official port of entry, and no vessel or aircraft shall call at any
8 other port in the Federated States of Micronesia without first entering
9 and obtaining clearance from an official port of entry unless the Presi-
10 dent or his designee determines that the public interest or an emergency
11 requires the vessel or aircraft to anchor or land at any port in the
12 Federated States of Micronesia and grants permission to do so. A vessel
13 or aircraft in distress may anchor or land at any port in the Federated
14 States of Micronesia, but the person having the command or charge of the
15 vessel or aircraft shall immediately thereafter notify the nearest govern-
16 ment representative of the Federated States of Micronesia or nearest
17 state government. The official ports of entry in the Federated States of
18 Micronesia until otherwise provided by regulations, are:

19 (1) Yap:

20 (a) Yap;

21 (i) Tomil Harbor;

22 (ii) Yap International Airport.

23 (b) Ulithi;

24 (i) Ulithi Anchorage;

25 (ii) Ulithi Airstrip.

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- 1 (2) Truk-Moen:
2 (a) Moen Anchorage;
3 (b) Truk International Airport.

- 4 (3) Ponape:
5 (a) Kolonia Harbor;
6 (b) Ponape International Airport.

- 7 (4) Kosrae:
8 (a) Lelu Harbor;
9 (b) Okat Harbor;
10 (c) Kosrae Airstrip.

11 Section 9. Ports Authorized to Issue Entry Permits. The authorized
12 officials in each of the ports listed under Section 8 of this act or
13 regulations issued pursuant thereto may issue entry permits.

14 Section 10. Foreign Vessel or Aircraft to Report Upon Entry-Manifest
15 Required. The Master, Captain or other person having the command or
16 charge of any foreign vessel or aircraft shall, on entry of such vessel
17 or aircraft into any of the ports designated under Section 8 of this act
18 or regulations issued pursuant thereto, file a manifest in the form
19 prescribed by the regulations issued pursuant to this act and signed by
20 such Master or other person having the command or charge of said vessel or
21 aircraft as to the truth of the statements therein contained. Contents of
22 such manifest shall be prescribed by regulation.

23 Section 11. Inspection at Ports of Entry. All vessels and aircraft
24 entering and departing a port of entry shall be subject to immigration
25 inspection, customs inspections, agricultural inspections and quarantines,

1 and other administrative inspections authorized by law. If any vessel or
2 aircraft not being in distress enters or attempts to enter a port in
3 violation of the provisions of this act, such information shall be communi-
4 cated by any person by the fastest means to the Governor of the affected
5 state and to the President.

6 Section 12. Carrier Responsibility. It shall be the responsibility of
7 each and every carrier which is engaged in the transportation of persons
8 into the Federated States of Micronesia to ensure that such persons hold
9 the proper documents to effect lawful entry. Persons arriving at a
10 Federated States of Micronesia port who fail to present the required entry
11 documents shall be denied entry and shall be returned to the aircraft or
12 not be allowed to disembark from the vessel.

13 Section 13. Regulations. The President may, from time to time,
14 issue regulations not inconsistent with law to implement this act.

15 Section 14. Penalties.

16 (1) Any person who, not being a citizen of the Federated States
17 of Micronesia, unlawfully enters or attempts to enter the Federated States
18 of Micronesia or having lawfully entered, remains willfully and unlawfully
19 after expiration or revocation of his entry authorization, or who violates
20 by act or omission any provision of this act or regulations issued pursuant
21 thereto, upon conviction thereof shall be imprisoned for a period of not
22 more than two years or fined not more than ten thousand dollars, or both.

23 (2) In lieu of Subsection (1) of this section or in addition
24 thereto, any person who unlawfully entered, willfully and unlawfully remains
25 after expiration or revocation of his entry permit shall be subject to

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1 deportation after hearing upon application by the President or his designee
2 to any competent court in the Federated States of Micronesia.

3 (3) Any carrier violating the provisions of Section 12 shall be
4 fined \$500 per person for persons not allowed to disembark or returned to
5 an aircraft.

6 Section 15. Additional Ports of Entry. The President of the Federated
7 States of Micronesia, in consultation with the state government so affected,
8 may establish additional ports of entry by regulations.

9 Section 16. Alien Registration. The President shall by regulations
10 provide for annual alien registration.

11 Section 17. Repealer. Federated States of Micronesia Public Law
12 No. 1-79 is hereby repealed in its entirety.

13 Section 18. Effective Date. This act shall become law upon approval
14 by the President of the Federated States of Micronesia, or upon its
15 becoming law without such approval.

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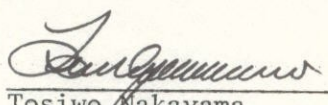
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December 18, 1980

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Tosiwo Nakayama
President
Federated States of Micronesia

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