
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 Regulation Act.

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

12 Section 3. Entry Permits-Types.

13 (1) A visitor's permit for any lawful purpose including performance
14 of necessary services on short term contractual basis shall be issued only for
15 visits of specified duration not to exceed 30 days and may be renewed for an
16 additional 60 days.

17 (2) A government worker's entry permit shall be issued for the
18 duration of the employment contract and may be renewed only if the employment
19 contract is renewed and only for the duration of the renewed contract of
20 employment.

21 (3) A private sector alien worker's entry permit shall be issued
22 for the duration of the alien worker's certificate and may be renewed upon

1 renewal or extension of such alien worker's certificate and for the duration
2 of such renewed certificate.

3 (4) A foreign investor's entry permit shall be issued for the
4 duration of the foreign investor's business permit and may be renewed upon
5 renewal or extension of such foreign investor's business permit for the
6 duration of such renewed business permit.

7 (5) A researcher's entry permit shall be issued for research in the
8 fields of endeavor that the President deems necessary for the well-being of
9 the citizens of the Federated States of Micronesia. It shall be issued for
10 the duration that the President deems necessary for such research.

11 (6) A missionary's permit shall be issued to a duly ordained,
12 licensed and certified minister or clergyman for the duration of such
13 missionary's assignment in the Federated States of Micronesia.

14 (7) A spouse or child under the age of eighteen of any principal
15 listed in this Section shall be issued an entry permit for the duration of
16 of the principal's entry permit and may be renewed ~~or~~ renewal of the
17 principal's entry permit and for the duration of such renewed principal's
18 entry permit.

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

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

1 Section 6. Standards of Exclusion and Deportation.

2 (1) The President shall deny an entry permit, revoke or deny
3 renewal of an entry permit, or deport any noncitizen for any of the following
4 reasons:

5 (a) The willful furnishing of false, incomplete or misleading
6 material information in an application for permit; or

7 (b) The advocacy of the unlawful overthrow of any of the
8 three levels of government of the Federated States of Micronesia; or

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

13 (d) Performing or attempting to perform duties or otherwise
14 acting so as to serve the interests of another government to the detriment of
15 the Federated States of Micronesia; or

16 (e) Deliberate unauthorized disclosure of confidential govern-
17 ment information; or

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

19 (2) The President may deny an entry permit, revoke or deny renewal
20 of an entry permit, or deport any noncitizen for any of the following reasons:

21 (a) Serious mental irresponsibility evidenced by having been
22 adjudged insane or mentally irresponsible, or incompetent, or being a chronic
23 alcoholic, or having been treated for serious mental ore neurological
24 disorders or for chronic alcoholism; or

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

1 (c) Carrier of serious communicable disease; or

2 (d) Conviction of any serious crime as defined by the law of
3 the place where the conviction took place; or

4 (e) A finding by the President that the entry of the
5 applicant or his presence in the Federated States of Micronesia would not be
6 in the best interest of any of the three levels of government of the
7 Federated States of Micronesia.

8 Section 7. Immigration Inspection of Vessels and Aircraft. Incoming
9 vessels shall be boarded by the officials authorized by the President who
10 shall examine the Federated States of Micronesia documents of each passenger
11 and, if the passenger is eligible to enter the Federated States of Micro-
12 nesia, shall affix to the passport or the Federated States of Micronesia
13 entry permit an official stamp or other writing showing the date and place of
14 entry. The same procedure shall be followed for passengers arriving on
15 aircraft, except inspection shall take place after passengers have disembarked
16 and prior to their departure from airport terminals.

17 Section 8. Ports of Entry. All vessels and aircraft authorized to
18 enter the Federated States of Micronesia must enter and obtain clearance
19 from an official port of entry, and no vessel or aircraft shall call at any
20 other port in the Federated States of Micronesia without first entering and
21 obtaining clearance from an official port of entry unless the President or
22 his designee determines that the public interest or an emergency requires the
23 vessel or aircraft to anchor or land at any port in the Federated States of
24 Micronesia and grants permission to do so. A vessel or aircraft in distress
25 may anchor or land at any port in the Federated States of Micronesia, but

1 the person having the command or charge of the vessel or aircraft shall
2 immediately thereafter notify the nearest Government representative of the
3 Federated States of Micronesia or nearest state government. The official ports
4 of entry in the Federated States of Micronesia until otherwise provided by
5 regulation, are:

6 (1) Yap:

7 1. Yap; (a) Tomil Harbor (b) Yap International Airport;

8 2. Ulithi; (a) Ulithi Anchorage (b) Ulithi Airstrip;

9 (2) Truk:

10 1. Moen; (a) Moen Anchorage (b) Truk International Airport;

11 (3) Ponape:

12 1. Ponape; (a) Kolonia Harbor (b) Ponape International
13 Airport;

14 (4) Kosrae:

15 (1) Kosrae; (a) Lelu Harbor (b) Kosrae Airstrip.

16 Section 9. Ports Authorized to Issue Entry Permits. The authorized
17 officials in each of the ports listed under Section 8 of this Act or regula-
18 tion issued pursuant thereto may issue entry permits.

19 Section 10. Foreign Vessel or Aircraft to Report Upon Entry - Manifest
20 Required. The Master, Captain or other person having the command or charge
21 of any foreign vessel or aircraft shall, on entry of such vessel or aircraft
22 into any of the ports designated under Section 8 of this Act or regulation
23 issued pursuant thereto, file a manifest in the form prescribed by the
24 President of the Federated States of Micronesia and signed by such Master or
25 other person having the command or charge of said vessel or aircraft as to

1 the truth of the statements therein contained. Contents of such manifest
2 shall be prescribed by regulations.

3 Section 11. Inspection at Ports of Entry. All vessels and aircraft
4 entering and departing a port of entry shall be subject to immigration
5 inspection, customs inspections, agricultural inspection and quarantines, and
6 other administrative inspections authorized by law. If any vessel or aircraft
7 not being in distress enters or attempts to enter a port in violation of the
8 provisions of this Section, such information shall be communicated by any
9 person by the fastest means to the Governor of the State where the entry or
10 attempt to enter is made who shall in turn by the fastest means communicate
11 the information to the President.

12 Section 12. Regulations. The President may, from time to time, issued
13 such regulations as are reasonably necessary to implement this Act.

14 Section 13. Penalties.

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

22 (2) In lieu of the Subsection (1) of this Section or in addition
23 thereto, any person who unlawfully enters the Federated States of Micronesia
24 or, having lawfully entered, willfully and unlawfully remains after expira-
25 tion or revocation of his entry permit, shall be subject to deportation after

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

3 (3) Any noncitizen who lawfully enters the Federated States of
4 Micronesia without an entry permit may be subject to deportation after hearing
5 upon application by the President or his designee to any competent court in
6 the Federated States of Micronesia for reasons provided for in Section 6 of
7 this Act.

8 Section 14. Additional Ports of Entry. The President of the Federated
9 States of Micronesia, in consultation with the State Government so affected,
10 may establish additional ports of entry by Presidential Orders.

11 Section 15. Repealer. Sections 51 to 62 and Sections 101 to 104 of
12 Title 53 of the Trust Territory Code are hereby repealed insofar as they apply
13 to Federated States of Micronesia.

14 Section 16. Effective Date. Upon its approval by the President, or
15 upon its becoming law without such approval, this Act shall take effect on
16 transfer of immigration function to the National Government of the Federated
17 States of Micronesia.

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January 9, 1980 ~~1979~~

Tosiwo Makayama
Tosiwo Makayama
President
Federated States of Micronesia