

CHAPTER 4

Crimes Against National Security

SECTIONS

- § 401. **Treason.**
- § 402. **Armed insurrection.**
- § 403. **Advocating armed insurrection.**
- § 404. **Revealing classified information.**

Editor's note: Former chapter 4 of this title on Offenses Against the National Security was repealed in its entirety by PL 11-72 § 1. This new chapter 4 was enacted by PL 11-72 § 25 and is part of the Revised Criminal Code Act.

§ 401. Treason.

(1) A person who is a citizen or national of, or who is domiciled in, the Federated States of Micronesia commits the crime of treason if that person:

- (a) levies war against the Federated States of Micronesia; or
- (b) adheres to the enemies of the Federated States of Micronesia, giving them aid and comfort.

(2) "Levying war" includes an act of war or insurrection of several persons with intent to prevent, by force or intimidation, the execution of a statute of the Government, or to force its repeal. It does not include either a conspiracy to commit an act of war or a single instance of resistance to the execution of the law for a private purpose.

(3) A person convicted under this section shall be imprisoned for not less than two years and may be imprisoned for life.

Source: PL 11-72 § 26.

Cross-reference: The statutory provisions on the Judiciary and the FSM Supreme Court are found in title 4 of this code.

§ 402. Armed insurrection.

(1) A person commits the crime of armed insurrection if he or she engages in an armed insurrection with intent to overthrow, supplant, or change the form of Government of the Federated States of Micronesia, or, knowing that such armed insurrection is in progress or impending, he or she facilitates it or solicits, incites, or conspires with another to engage in or facilitate it.

- (2) A person convicted under this section shall be imprisoned for not more than 20 years.

Source: PL 11-72 § 27.

§ 403. Advocating armed insurrection.

(1) A person commits the crime of advocating armed insurrection if, with intent to induce or otherwise cause another to engage in armed insurrection in violation of section 402 of this chapter, he or she:

(a) advocates the desirability or necessity of armed insurrection under circumstances in which there is substantial likelihood that his or her advocacy will immediately produce a violation of section 402 of this chapter; or

(b) organizes an association which engages in the advocacy prohibited in subsection (1)(a) of this section, or, as an active member of such association, facilitates such advocacy.

(2) A person convicted under this section may be imprisoned for life if death or serious bodily injury results from the violation, otherwise that person shall be imprisoned for not more than ten years.

Source: PL 11-72 § 28.

§ 404. Revealing classified information.

(1) A person commits the crime of revealing classified information if he or she:

(a) intentionally communicates classified information to an unauthorized person;

(b) knowingly obtains classified information without authorization; or

(c) solicits another to communicate classified information to an unauthorized person.

(2) "Classified information" means information the dissemination of which has been restricted by the President for reasons of national security.

(3) A person convicted under this section shall be imprisoned for not more than 20 years.

Source: PL 11-72 § 29.