February 12, 2020

The Honorable Wesley W. Simina
Speaker
FSM Congress
Palikir, Pohnpei FM 96941

Dear Speaker Simina:

I transmit herewith a certified copy of Congressional Resolution No. 21-117, C.D.1, C.D.2, which was adopted by the Twenty-First Congress of the Federated States of Micronesia, Third Regular Session, 2020.

Sincerely,

[Signature]

Liwiana Ramon Ioanis
Chief Clerk
Congress of the Federated States of Micronesia

Enclosures
A RESOLUTION

TO AMEND CERTAIN TERMS OF THE PRESIDENT’S PUBLIC HEALTH EMERGENCY DECLARATION DATED JANUARY 31, 2020.

INTRODUCED BY SENATOR: WESLEY W. SIMINA

DATE: FEBRUARY 7, 2020

ADOPTED: FEBRUARY 12, 2020

Liwiana Ramon Iomnis
Chief Clerk, FSM Congress
A RESOLUTION

To amend certain terms of the President's Public Health Emergency Declaration dated January 31, 2020.

WHEREAS, on January, 31, 2020, the President issued a Public Health Emergency Declaration; and

WHEREAS in accordance to Article X, section 9 of the FSM Constitution, Congress within 30 days of the declaration, shall convene to revoke, amend or extend the declaration; and

WHEREAS, Congress is currently convened for its Third Regular Session and therefore has the powers under the Constitution to revoke, amend or extend the Declaration; and

WHEREAS, Congress has reviewed the Declaration and the facts attending to the Declaration, and has met and conferred with the President and has considered the President's requests for Congressional action; now, therefore,

BE IT RESOLVED by the Twenty-First Congress of the Federated States of Micronesia, Third Regular Session, 2020, that:

1. The authority of the Presidential Declaration of Emergency shall be deemed to be pursuant to Article X, section 9 of the Constitution not Article IX, section 10 as cited in the Declaration of Emergency; and

2. The Declaration of Emergency of January 31, 2020, is hereby extended up to 60 days from the date of the Declaration;
and

3. The President's authority to access the Compact-created fund called the Disaster Assistance Emergency Fund (DAEF) is hereby revoked, and in lieu thereof, the President is authorized to access as much of the Disaster Relief Fund set up under Title 55 of the Code of the FSM (Annotated) as is necessary up to $700,000, and a full accounting of the expenditures shall be submitted to Congress not later than 30 days after the emergency is over; and

4. Notwithstanding any previous authorization, designation, or earmarking of said funds in the Disaster Relief Fund the President is hereby further authorized to use the proceeds available under subsection 3 above in any manner necessary to deal with the public health emergency, including the mitigation of costs for people affected by the travel ban instituted by the Declaration; and

5. The President is further authorized, subsequent to the adoption of this Resolution, to amend the terms of the travel ban instituted by the Declaration, including to reinstate, add or remove countries or areas affected by the travel ban, or any quarantine requirements, in order to respond effectively and efficiently to the evolving situation taking into account the burdens and costs associated with said quarantine requirements; and

6. Initially the travel restrictions and quarantine
requirements imposed on countries other than China, including those in paragraph (4) of the Declaration, are hereby lifted upon adoption of this Resolution; PROVIDED HOWEVER, that the President may reimpose such restrictions and requirements as necessary and at any time thereafter based on World Health Organization guidelines; and

BE IT FURTHER RESOLVED, that the President shall disseminate widely the Declaration of Emergency as amended by Congress, and any subsequent amendments made by the President pursuant to this Resolution; and
BE IT FURTHER RESOLVED, that certified copies of this resolution be transmitted to the President of the Federated States of Micronesia, the Chief Justice of the FSM Supreme Court, the Governors of Chuuk, Kosrae, Pohnpei and Yap States, the presiding officers of the four state legislatures, and the heads of the airports in Chuuk, Kosrae, Pohnpei and Yap.

ADOPTED: February 12, 2020

Wesley W. Simina
Speaker
FSM Congress

ATTEST:
Liwiana Ramon Ioani
Chief Clerk
FSM Congress