A RESOLUTION

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

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

2. 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

3. 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

4. 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of Emergency of January 31, 2020, is hereby extended up to 90 days from the date of the Declaration and may be rescinded by the President or revoked,
amended or extended by action of Congress, at any time within
this time period; 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 $600,000, 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 new information; 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.

Dated: 2/7/20

Introduced by: /s/ Wesley W. Simina
Wesley W. Simina