A BILL FOR AN ACT

To amend sections 304, 305 and 308 of title 50 of the Code of the Federated States of Micronesia (Annotated), as amended by P.L. No. 22-134, is hereby further amended to remove the COVID-19 Vaccination mandate for all persons entering the FSM, authorize the Department of Health and Social Affairs to reinstate COVID-19 vaccination entry requirements by regulation, technical changes, and for other purposes.

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

Section 1. Section 304 of title 50 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended to read as follows:


(1) [The COVID-19 vaccine mandate under this Act applies to] The Secretary of the Department of Health and Social Affairs shall have the authority to mandate by regulation COVID-19 Vaccination requirements for all persons entering the FSM, including FSM citizens and nationals, non-citizens, nonresident workers, diplomats and ambassadors, crew on vessels or aircraft, and contractual personnel of foreign governments and non-governmental regional or international organizations.

(2) [The] COVID-19 vaccine [mandate] requirements shall [does] not apply to transient passengers that remain at
Section 2. Section 305 of title 50 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended to read as follows:

"Section 305. COVID-19 Vaccination and Booster Requirements for Entry.

(1) [All persons entering the FSM shall be fully vaccinated against the COVID-19 novel coronavirus (SARS-CoV-2).] The Secretary of Justice, or his designee, shall enforce all COVID-19 vaccination and booster requirements, established through regulation by the Secretary of Health pursuant to his authority under Title 41 of the Code of the FSM, at all ports of entry, including but not limited to:

(a) Type of COVID-19 vaccine and booster shots acceptable for entry into the FSM; and

(b) Waiting period requirements after receiving the COVID-19 novel coronavirus (SARS-CoV-2) vaccine and booster entry shots to be considered fully vaccinated prior to entry."

[(2) The Secretary of Justice shall only permit the entry of persons into the country who are fully vaccinated against COVID-19 in accordance with section 305 and section 307, unless the person is exempt under section 306 of this Chapter."
Section 3. Section 308 of title 50 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended to read as follows:

"Section 308. Regulation Authority.

The Secretary of Justice, or his designee, shall promulgate and publish such rules and regulations as necessary to enforce the COVID-19 vaccine [mandate] requirements under sections 305, 306 and 307 at all ports of entry into the FSM in accordance with Chapter 1 of Title 17 of the Code of the FSM. The Secretary of Justice shall coordinate with the Secretary of Health and the relevant departments or agencies to implement regulations under this Act prior to any agency action.

The Department of Health and Department of Justice shall notify all state government health authorities 30 business days in advance of any proposed regulations under this Act. The Secretary of Health shall have the authority to enact regulations to implement this Act pursuant to his authority under Title 41 of the Code of the FSM."
Section 4. This act shall become law upon approval by the President of the Federated States of Micronesia or upon it becoming law without such approval.

Date: 4/4/23  
Introduced by: /s/ Ferny S. Perman  
Ferny S. Perman