

STANDING COMMITTEE REPORT NO. 22-13

RE: C.R. NO. 22-33/HSA

SUBJECT: AMENDING THE PRESIDENT'S PUBLIC  
HEALTH EMERGENCY DECLARATION

JULY 27, 2021

The Honorable Wesley W. Simina  
Speaker, Twenty-Second Congress  
Federated States of Micronesia  
First Special Session, 2021

Dear Mr. Speaker:

Your Committee on Health and Social Affairs, to which was referred  
Congressional Resolution No. 22-33, entitled:

"A RESOLUTION TO FURTHER AMEND THE PRESIDENT'S  
PUBLIC HEALTH EMERGENCY DECLARATION DATED JANUARY  
31, 2020, AS AMENDED ON FEBRUARY 7, 2020, AND  
FURTHER AMENDED ON MARCH 11, 2020, APRIL 17, 2020,  
MAY 30, 2020, JULY 10, 2020, AUGUST 20, 2020,  
NOVEMBER 25, 2020, JANUARY 29, 2021, MARCH 31, 2021  
and May 27, 2021."

begs leave to report as follows:

The intent and purpose of the resolution are expressed in its title.

On July 21, 2021, your Committee held a public hearing on the above  
captioned resolution. Present at the hearing were representatives  
from the Office of the President, the Department of Health and Social  
Affairs, the Department of Finance and Administration, the Department  
of Justice, and members of the FSM National Task Force.

Chairman Perman opened the hearing by welcoming the witnesses and

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members, and provided the opportunity to update your Committee on the current status of repatriation efforts, including quarantine protocols, and the reasons for the proposed amendments to the current Emergency Declaration, as set forth in C.R. No. 22-33.

Your Committee noted that repatriation efforts so far, at the time of the hearing, had been successful in that no one had entered the FSM with COVID-19. Chairman Perman acknowledged the great work of the Task Force, and inquired as to further details on quarantine protocols and how citizens are selected and prioritized for repatriation.

Based on witness testimony and materials provided at the hearing, your Committee notes that the Task Force has established written Guidelines and Protocols to implement the emergency declaration. Current quarantine requirements under the Guidelines provide for a 7-day pre-quarantine in Guam, and then the standard practice is 14-days quarantine at home upon arrival in the FSM. Repatriation efforts currently are limited to pre-quarantine in Guam, rather than Honolulu, due to the additional substantial costs that would be incurred allowing pre-quarantine in Honolulu.

In regard to the priority list for repatriation, and questions raised regarding the need for essential workers, your Committee notes that based on witness testimony, the priority has been stranded FSM citizens, including medical referrals. There are currently two flights scheduled in September; in addition to stranded FSM citizens, medical referrals, students, and other FSM residents, UN personnel and diplomats will be on those flights. There remains 300 - 400 FSM citizens stranded outside the country.

Members of the Task Force also provided an update on vaccination efforts. Regarding the Moderna vaccine, the Task Force expects the recommended age to be lowered from 18 to 12 shortly. Your Committee notes that the President has issued a directive that frontline workers must be vaccinated. Finally, the Task Force stated its

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commitment to increasing the vaccination rates in the FSM.

C.R. NO. 22-33

Throughout the hearing, witnesses provided testimony on the intent and purpose of the proposed amendments to the Emergency Declaration found in C.R. No. 22-33.

Your Committee notes that the proposed changes to the Emergency Declaration include: increasing the permitted exceptions to the travel ban to include more essential workers; amending the health screening procedures to allow entry for persons fully vaccinated who test negative for COVID-19 and persons who have recovered from COVID-19 and who are determined to be non-infectious; opening up interstate travel to all persons as long as the FSM remains COVID-19 free and allowing certain interstate travel that originates outside the FSM on international carriers; inserting a new requirement that the Task Force intensify vaccination efforts; and requiring all employees of the national government be vaccinated subject to Task Force protocols.

Chairman Perman noted that the Emergency Declaration has been amended many times, and questioned whether incorporation by reference of the Guidelines and Protocols established by the Task Force into the Emergency Declaration might provide the Task Force with more flexibility.

Witnesses and members of your Committee noted the need for flexibility for the Task Force. Flexibility allows the Task Force to respond appropriately to new information and changing conditions, and part of the intent of the proposed amendments found in C.R. No. 22-33 is to provide more flexibility to the Task Force. Members of the Task Force commented that they would welcome a provision whereby the Guidelines and Protocols are referenced in the Emergency Declaration, and the Task Force will duly inform Congress when the Guidelines are updated.

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C.R. NO. 22-33, C.D.1

Your Committee recommends the following amendments to C.R. No. 22-33, as introduced.

Page 10, lines 16 – 17: your Committee recommends a technical correction to comply with the amendments in Section (6) of the declaration.

Page 19, lines 1 – 9: your Committee recommends clarifying that the vaccine requirement applies to all employees of the National Government and its office and agencies, and inserting a provision that failure to comply with the requirement within 30 days, absent reasonable justification, shall result in the employee being placed on leave without pay.

Page 19, lines 10 – 18: your Committee recommends adding a new Section (13) that provides that the Guidelines and Protocols, and any updates thereof, as established or sanctioned by the Task Force, are incorporated into the declaration by reference; and, the Task Force shall inform Congress of any updates to the Guidelines and Protocols.

Page 19, lines 19 – 24: your Committee recommends adding a new Section (14) that provides that the Task Force has reasonable flexibility with respect to the implementing details of the declaration, in recognition of the scientific expertise and capacity available to the Task Force in enforcing its Guidelines and Protocols.

#### CONCLUSION

Your Committee on Health and Social Affairs is in accord with the intent and purpose of C.R. No. 22-33, and recommends its adoption in the form attached hereto as C.R. No. 22-33, C.D.1.

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Respectfully submitted,

/s/ Ferny S. Perman  
Ferny S. Perman, chairman

/s/ Tiwiter Aritos  
Tiwiter Aritos, vice chairman

Florencio S. Harper, member

/s/ Derensio S. Konman  
Derensio S. Konman, member

Esmond B. Moses, member

/s/ Aren B. Palik  
Aren B. Palik, member

Joseph U. Urusemal, member