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A BILL FOR AN ACT

To create a Disaster Relief Fund, and for other purposes.

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

1 Section 1. Creation of Disaster Relief Fund.

2 (1) There is hereby created a Disaster Relief Fund to be
3 used for natural disaster and emergency relief throughout the Feder-
4 ated States of Micronesia.

5 (2) Monies for the Disaster Relief Fund shall be derived
6 from appropriations by the Congress of the Federated States of Micro-
7 nesia and the State legislatures, United States grants, funds desig-
8 nated for such purposes from international organizations, and from
9 any and all other appropriate sources.

10 (3) The Disaster Relief Fund shall be administered in
11 accordance with the provisions of this act.

12 Section 2. Definitions.

13 (1) "Disaster" means any hurricane, typhoon, cyclone,
14 tornado, storm, flood, high water, wind-driven water, tidal wave,
15 tsunami, earthquake, volcanic eruption, landslide, mudslide, drought,
16 fire, explosion, civil disturbance, or other catastrophe in any part
17 of the Federated States of Micronesia which, in the determination of
18 the President, causes damage of sufficient severity and magnitude to
19 warrant disaster assistance under this act, above and beyond emergency
20 services by the National Government, to supplement the efforts and
21 available resources of States, local governments, and disaster
22 relief organizations in alleviating the damage, loss, hardship, or
23 suffering caused thereby.

24 (2) "Emergency" means any hurricane, typhoon, cyclone,
25 tornado, storm, flood, high water, wind-driven water, tidal wave,

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1 tsunami, earthquake, volcanic eruption, landslide, mudslide, drought,
2 fire, explosion, civil disturbance, or other catastrophe in any part
3 of the Federated States of Micronesia which requires National emer-
4 gency assistance to supplement State and local efforts to save lives
5 and protect property, provide for public health and safety, or to
6 avert or lessen the threat of disaster.

7 Section 3. Procedures.

8 (1) All requests for a determination by the President that
9 an emergency or disaster exists shall be made by the Governor of the
10 affected State. Such request shall be based upon the Governor's
11 finding that the situation is of such severity and magnitude that
12 effective response is beyond the capabilities of the State and the
13 affected local governments and that National assistance is necessary.
14 The Governor's request will furnish information describing State and
15 local efforts and resources which have been or will be used to
16 alleviate the emergency or disaster, and will define the type and
17 extent of National aid required. As a prerequisite to emergency
18 or disaster assistance under this act, the Governor shall take
19 appropriate action under State law and direct execution of any State
20 emergency or disaster plan. Based upon such Governor's request,
21 the President may find and declare that a disaster or an emergency
22 exists.

23 (2) The President may make an independent determination of
24 the existence of an emergency or disaster in the event the Governor
25 of an affected State for any reason is unable or unwilling to make

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1 a request for assistance pursuant to the provisions of this act.

2 Section 4. Coordinating officers.

3 (1) Immediately upon his finding that an emergency
4 exists, or his declaration of a disaster, the President may appoint
5 a National coordinating officer to operate in the affected area.

6 (2) In order to effectuate the purposes of the act,
7 the National coordinating officer, if any, within the affected area,
8 shall:

9 (a) Make an initial appraisal of the types of relief
10 most urgently needed;

11 (b) Establish such field offices as he deems
12 necessary and as are authorized by the President;

13 (c) Assist in the coordination and administration
14 of relief, including the activities of State and local governments,
15 the Trust Territory Government, and any disaster relief organizations
16 operating in the affected area; and

17 (d) Take such other action, consistent with the
18 provisions of this act, as he may deem necessary to assist local
19 citizens and public officials in promptly obtaining assistance to
20 which they are entitled.

21 Section 5. Use of Disaster Relief Funds monies.

22 (1) Expenditures from the Disaster Relief Fund may be
23 used for necessary food, clothing, shelter, medical supplies,
24 compensation for crop damage, transportation, debris clearance,
25 reconstruction or repair of seawalls and other property damage,

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1 building materials, administrative costs (not to exceed 15 percent
2 of relief provided), and such other matters as the President deter-
3 mines to be necessary and occasioned by an emergency or disaster as
4 defined by this act.

5 (2) Disaster Relief Fund monies shall be administered
6 and expended by the National Revenue Officer in the affected State,
7 except in the State of Ponape. In the State of Ponape, Disaster
8 Relief Fund monies shall be administered and expended by the Secretary
9 of the Department of Finance, or his designee.

10 Section 6. Use of local firms and individuals. In the expendi-
11 ture of National funds for debris clearance, distribution of supplies,
12 reconstruction, and other emergency or disaster assistance activities
13 which may be carried out by contract or agreement with private organi-
14 zations, firms, or individuals, preference shall be given, to the
15 extent feasible and practicable, to those organizations, firms, and
16 individuals residing or doing business primarily in the area affected
17 by such emergency or disaster.

18 Section 7. Authority to make expenditures. Upon compliance
19 with the requirements of this act, the President may authorize such
20 expenditure of monies from the Disaster Relief Fund as in his opinion
21 is necessary to carry out the purposes of this act.

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1 Section 8. Effective date. This act shall become law
2 upon approval by the President of the Federated States of
3 Micronesia or upon its becoming law without such approval.

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5 Date: 5/18/8 ✓

Introduced by:

Elias Thomas
Elias Thomas

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