

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
2 Health Emergency Declaration; and

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

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

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

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

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

19 2. The Declaration of Emergency of January 31, 2020, is
20 hereby extended up to 90 days from the date of the
21 Declaration and may be rescinded by the President or revoked,

1 amended or extended by action of Congress, at any time within
2 this time period; and

3 3. The President's authority to access the Compact-created
4 fund called the Disaster Assistance Emergency Fund (DAEF) is
5 hereby revoked, and in lieu thereof, the President is
6 authorized to access as much of the Disaster Relief Fund set
7 up under Title 55 of the Code of the FSM (Annotated) as is
8 necessary up to \$600,000, and a full accounting of the
9 expenditures shall be submitted to Congress not later than 30
10 days after the emergency is over; and

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

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

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

8 BE IT FURTHER RESOLVED, that the President shall disseminate
9 widely the Declaration of Emergency as amended by Congress, and
10 any subsequent amendments made by the President pursuant to this
11 Resolution; and

12 BE IT FURTHER RESOLVED, that certified copies of this
13 resolution be transmitted to the President of the Federated States
14 of Micronesia, the Chief Justice of the FSM Supreme Court, the
15 Governors of Chuuk, Kosrae, Pohnpei and Yap States, the presiding
16 officers of the four state legislatures, and the heads of the
17 airports in Chuuk, Kosrae Pohnpei and Yap.

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19 Dated: 2/7/20

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

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