

OFFICE OF THE GOVERNOR
STATE OF CHUUK
Federated States of Micronesia

JOHNSON S. ELIMO
GOVERNOR

MARIUS J. AKAPITO
LT. GOVERNOR

May 22, 2020

HIS EXCELLENCY DAVID W. PANUELO
President
Federated States of Micronesia
Palikir, Pohnpei, FM 96941

RE: EMERGENCY DECLARATION

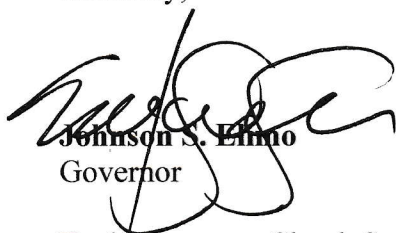
Dear His Excellency Panuelo:

As you may be aware, Chuuk State declared emergency on February 7, 2020 relative to the COVIC-19 which was declared by WHO as a worldwide pandemic. The said declaration was extended by the Chuuk State Legislature for a period of ninety (90) days which was until May 22, 2020. Considering the absence of quorum of the House of Senate, another extension of the emergency declaration is unlikely, which necessitates another declaration.

In this emergency declaration, as shown in the attached. I incorporated, in order to harmonize our respective emergency declarations, CFSM resolution no. 21-138 specifically sections 4, 9 and 10. I also anticipated any future amendments of CFSM resolution no. 21-138 or any issuance of a new emergency declaration by your Excellency by respecting the jurisdiction of the FSM National Government to avoid inconsistencies.

Again, I am grateful for your continued support and assistance.

Sincerely,



Johnson S. Elimo
Governor

Enclosure : Chuuk State Emergency Declaration

File with enclosure



JOHNSON ELING
GOVERNOR
MARK NAILO
DEPUTY GOVERNOR

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DECLARATION OF A STATE OF EMERGENCY

A DECLARATION OF A STATE OF EMERGENCY RELATIVE TO THE COVID-19 WORLDWIDE PANDEMIC

WHEREAS, as of this Declaration there are more than 333,000 deaths of the COVID-19 and more than 5,186,000 infections affecting more than two hundred ten (210) countries;

WHEREAS, the FSM President issued a declaration of emergency on January 31, 2020 prohibiting the travel to and from China, and other countries, states, or territories which are affected by the COVID-19;

WHEREAS, on February 7, 2020, I issued a declaration of emergency relative to the COVID-19 pandemic;

WHEREAS, the February 7, 2020 emergency declaration was valid only for fifteen (15) days or until February 22, 2020;

WHEREAS, the Chuuk State Legislature extended the emergency declaration for another ninety (90) days or until May 22, 2020;

WHEREAS, the House of Senate of the Chuuk State Legislature until now is not in quorum whereby another extension of the emergency declaration is unlikely;

WHEREAS, on April 17, 2020, the Congress of the Federated States of Micronesia by Resolution No. 21 - 138 amended and extended the January 31, 2020 emergency declaration of the FSM President until May 31, 2020;

WHEREAS, CFSM resolution no. 21 - 138 generally prohibits the entry of any person from any affected country, state or territory into the FSM as long as the COVID-19 pandemic persists;

WHEREAS, CFSM resolution no. 21 - 138 may grant rare exceptions on a case by case basis, for certified health experts, technicians and workers assigned to assist the FSM with respect to COVID-19, returning medical referral patients, premised upon prior favorable advise, assessment and recommendation of the FSM Task Force in consultation with the state task forces, and subject to all screening detection, quarantine and isolation procedures and protocols of the State of destination;

WHEREAS, the CFSM resolution no. 21 - 138 permits travel by air or sea between and within FSM states, as long as there are no confirmed COVID-19 cases within any of the FSM states. Only air and sea travel between the FSM states is permitted, travel that originates outside of the FSM is not permitted. (ie. flights originating in Guam or Hawaii or any other affected area are not permitted and ships originating from any affected area are not permitted). All passengers will be screened at the airports or seaports prior to check in or boarding and are subject to health screening procedures in the FSM state of destination. Any passenger exhibiting symptoms of COVID-19 will not be permitted to board the plane or ship. Any passenger that develops symptoms during transit will be permitted to enter at their final destination, but will subject to quarantine/isolation requirements;

WHEREAS, CFSM resolution no. 21 - 138 does not permit passengers to disembark into the FSM from any air or vessel that originates outside the FSM, subject to exceptions in section 4, for FSM citizens international travels and section 9, for commercial sea vessels because of the lack of quarantine and isolation facilities within the FSM;

WHEREAS, the CFSM Resolution No. 21 - 138 encourages the FSM National Government and States governments resolves to implement effective and uniform countermeasures to combat the spread of this rare and deadly virus across all of our states:

WHEREAS, in addition to the inadequate quarantine facilities, the existing medical facilities, supplies, medicines, manpower, laboratory equipment (such as only four (4) operational ventilators) are running low and requires that as a matter of precautionary measure, Chuuk State needs to be ready for any possible carrier of the COVID-19 to infect any citizen or resident of Chuuk State;

WHEREAS, the need to screen all incoming passengers from the airport and seaport by competent medical staff equipped with the necessary medical tools to ensure that the COVID-19 will not affect any citizens or residents of Chuuk State including sufficient numbers of test kits and gene Xpert equipment;

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WHEREAS, to ensure incoming travelers to Chuuk State from countries affected by the COVID-19 from spreading in our state; an isolation or quarantine area should be fully set up, operational and manned;

WHEREAS, in the interest of saving lives, preparation of the quarantine and isolation areas, stock piling of medical inventories, laboratory equipment and providing confidence building to health workers, this declaration becomes necessary;

Now, pursuant to the authority vested in the Governor by Article VI, section 12 of the Chuuk State Constitution required preserving public peace, health, or safety at a time of extreme emergency caused by the worldwide pandemic of the COVID-19 due to the absence of medicines, vaccines, inadequate or very limited medical resources and facilities, I hereby issue this declaration of emergency and hereby decree as follows:

I. Strengthening Chuuk State Ports of Entry and incoming vessels

1) All impositions and restrictions of sections 9 and 10 of CFSM resolution no. 21 - 138 are hereby fully incorporated in so far as they are applicable subject to the guidelines issued by the Department of Transportation and Public Works upon the instruction of the Task Force.

2) All crews/passengers of the FSM surveillance patrol vessel shall produce pre-boarding or departure screening records from the health department of the state of origin, and shall be subject to screening by the Department of Health Services upon the direction of the Task Force before disembarking from Weno point of entry in Chuuk State. (The only port of entry is open for crews/passengers to disembark is Weno). Any crews/passengers exhibiting any symptoms of COVID-19 shall be subject to quarantine/isolation procedures and protocols of Chuuk State. Once a positive COVID-19 is confirmed from other FSM state where the FSM surveillance patrol vessel originates, all crews/passengers shall be considered as person under investigation and shall be subject to screening/quarantine/testing/isolation procedures and protocols of Chuuk State.

3) All crews/passengers at Weno ports of entry shall undergo mandatory screening and shall honestly answer the screening questionnaires provided.

II. Travel ban, impositions and restrictions

1) All travelers to Chuuk State shall only disembark and be screened in Weno, ports of entry;

2) All travelers to Chuuk State from any COVID-19 affected country, state or territory shall not be permitted to enter Chuuk State subject to the exceptions

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provided in section 4 of CFSM resolution no. 21 - 138, in consultation with the Chuuk Department of Health Services.

3) All travelers as provided in the exceptions in section 4 of CFSM resolution no. 21 - 138 travelling from affected by the COVID-19 shall be subjected to mandatory screening/quarantine/testing/isolation procedures and protocols for quarantine for a minimum of fourteen days (14) or for a longer period to be determined by the Department of Health Services upon the direction of the Task Force;

4) All passengers originating from any FSM states are permitted travel by air or sea to Chuuk, Weno port of entry, as long as there are no confirmed COVID-19 cases within any of the FSM states. Only air and sea travel between the FSM states is permitted to enter Chuuk State, Weno ports of entry, travel that originates outside of the FSM is not permitted. (ie. Interstate travel is authorized only via FSM flagged passenger airplanes, vessels or FSM Surveillance vessels). All passengers will be screened at the airports or seaports prior to check in or boarding and are subject to health screening procedures in Chuuk State, Weno ports of entry only. Any passenger exhibiting symptoms of COVID-19 will not be permitted to board the plane or ship going to Chuuk State, Weno ports of entry. Any passenger that develops symptoms during transit will be permitted to enter at their Chuuk State, Weno ports of entry, but will be subjected to protocols and quarantine/isolation requirements set by Chuuk Department of Health Services;

5) Any person who is tested positive for COVID-19 shall be placed in isolation for a period to be determined by the Chuuk Department of Health Services;

6) All person who may be exposed with COVID-19 and symptoms of high fever, coughing, flu like symptoms and shortness of breath shall submit to and comply with the investigations, treatment and procedures in accordance with the instructions and protocol of the Chuuk Department of Health Services;

7) Classes in all schools' levels shall be suspended until further notice upon prior assessment of the Department of Health Services regarding readiness of the schools involving health protocols as proposed in their plans and recommended by the Task Force complying with all the existing procedures, protocols, social/physical distancing, observing proper hygiene and other preventive and educational awareness;

8) All school teachers during the suspension of classes shall assist the educational awareness on proper hygiene, social distancing and prevention of COVID-19 infection and other duties as may be assigned at the direction of the Task Force;

9) The Board of Directors of the Department of Education shall formulate a plan of action and its implementation on how to proceed or to do with the graduating students and other students since classes has been suspended and school year shortened.

10) All departments, offices, agencies, instrumentalities, centers, commissions or employees shall continue to work and/or be assigned to any COVID-19 related program or activities;



11) All persons shall faithfully comply with the protocols, procedures, program and instructions of the Task Force relative to the proper hygiene, social distancing, and prevention of COVID-19 infection and treatment;

12) Travels by any Chuuk State Government employees or officials are hereby suspended until further notice;

13) Price gouging or unjustifiable increase in price of basic food, medical, cleaning and construction materials or commodities since the March 16, 2020 Declaration is hereby prohibited. Hoarding of basic commodities are also prohibited. The Task Force shall issue guidelines on how these restrictions shall be defined, enforced, implemented and other appropriate applicable provisions;

14) The 15th Chuuk State Legislature, board or commission of the Chuuk State Government is hereby authorized to conduct its sessions, hearings or meetings via teleconference/videoconference media from a site in Guam or in other country, state or territory that would be agreed to by the Senate, board or commission whenever appropriate to achieve a quorum or to ensure full participation of its entire members, directors or commissioners as they may seem fit;

15) Any board or commission of the Chuuk State Government established by law whose proceedings or actions to be taken are affected or impaired by this COVID-19 pandemic by the absence of their members or commissioners in Chuuk State, the Governor may temporarily appoint a replacement of the absent member of the board or commission so as not to jeopardize its operations. The temporary replacement shall exercise full power and authority of the absent member of the board or commission as if he is a full pledge member of the board or commission. The temporary replacement of any board or commission shall automatically cease once the absent member of the board or commission physically report to work in Chuuk State.

16) Any person who willfully disobeys any of the restrictions or decree set by this declaration shall be prosecuted or be held liable in accordance with law.

III. Establishment of the Task Force; composition; duties and responsibilities; reporting

The Task Force is hereby established to coordinate all activities that need to be undertaken and measures that must be formulated and implemented in connection to the COVID-19. The Task Force shall be responsible for setting up plans to provide all necessary measures that will ensure that the movement of people in and to Chuuk State does not cause the introduction of COVID-19.

The Task Force shall be composed of the following:

Chairman, Director, Department of Health Services

Vice-chairman, Executive Director, DEOC

Members:

1) Director, Department of Public Safety or his designee;

- 2) Acting Executive Director, Chuuk Environmental Protection Agency;
- 3) Director, Department of Public Works and Transportation;
- 4) Director, Department of Education or his designee;
- 5) Attorney General or his designee;
- 6) A member designated by the House of Senate and House of Representative of the Chuuk State Legislature;
- 7) Branch manager of United Airlines;
- 8) Manager of TRANSCO;
- 9) Division Chief, Public Affairs;
- 10) Roger Arnold, economist, Economic Commission;
- 11) Director, Department of Administrative Services or his designee; and
- 12) A legal representative designated by the Governor;

The Task Force shall convene from time to time to ensure and shall submit report to the Governor and Chuuk State Legislature. The Task Force may require the inclusion and attendance of all relevant field offices of the FSM National Government and other Chuuk State offices, agencies or instrumentalities and other nongovernment organizations.

The Task Force shall seek funding or any form of resources from within the FSM or outside the FSM.

All designation by members of the Task Force shall be in writing.

The Task Force shall, if necessary to achieve the objective of this emergency recommend to the Governor any measures that may require issuance of appropriate decrees.

IV. Funds and decrees

1) Pursuant to Article 6, section 12 (a) of the Chuuk State Constitution, the Governor may issue appropriate decrees in connection with the emergency declaration and all its amendments. The Task Force shall monitor the implementation, enforcement and full compliance of Decrees and provide timely reporting.

2) Applicable financial management and public service system laws and regulations and other applicable and relevant statutes and rules are hereby suspended to the extent necessary to effectuate the purposes of this Declaration.

3) Pursuant to Article 6, section 12 (b) of the Chuuk State Constitution this declaration may impair civil rights to the extent actually required for the preservation of health, peace or safety.

V. Transition and final clauses

1) Pursuant to Article 6, section 12 of the Chuuk State Constitution, this emergency declaration is valid for fifteen (15) days (until midnight of June 6, 2020) unless amended, extended or revoked by the Chuuk State Legislature.



2) Unless inconsistent to this emergency declaration, all existing readiness/contingency plans, its annexes, social distancing guidelines, procedures and protocols issued by the any departments duly adopted by the current Task Force, financial or budgetary plans, preparations, and any other issuances, decrees, or actions taken and adopted by the current Task Force is hereby fully incorporated, adopted as if issued, created, established or imposed by the Task Force established herein.

3) Any future amendments, extension or imposition of the FSM President and/or Congress of the Federated States of Micronesia after the issuance of this emergency declaration, in so far as it applies to the FSM jurisdiction, is hereby fully incorporated, premise upon prior consultation of the FSM and State task forces.

SO ORDERED AND DECREED this 22nd day of May 2020.


JOHNSON ELIMO
Governor
Chuuk State

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