

SPECIAL COMMITTEE REPORT NO. 21-09

RE: COMMITTEE TO WAIT ON THE PRESIDENT

APRIL 14, 2020

The Honorable Wesley W. Simina
Speaker, Twenty-First Congress
Federated States of Micronesia
Fifth Special Session, 2020

Dear Mr. Speaker:

Your Committee to Wait on the President was duly appointed on April 13, 2020, consisting of members Esmond B. Moses, Ferny S. Perman and Dion D. Neth. Esmond B. Moses was designated as the chairman.

The Committee met with the President on April 13, 2020 at 12:00pm. Chairman Moses greeted the President, and key members of the Executive on behalf of Congress, and thanked them for the opportunity to meet. Chairman Moses reported that Congress was in session and was ready to transact business.

Your Committee received an agenda from the President communicating the priorities the Executive branch wished action on this session. Upon review of the agenda the Chairman stated Congress is prepared to move forward on at least some of the items.

The first item on the President's agenda was a COVID-19 Update. The President noted that it is the first time in history that all members of the Pacific Island Forum called a regional crisis, similar in the U.S. having declared a state of emergency in every state. The President expressed concern about FSM citizens who reside overseas, especially since the U.S. is the new global epicenter.

The President noted that last week; the COVID-19 response framework was transmitted. He mentioned that the most notable aspect of the overall plan was the included domestic spending spreadsheet, along with donor funding. He noted that there is also a more detailed report on implementation that is being prepared.

The President noted that the March 14, 2020, declaration expires today, also noting that it is important that the emergency declaration not be interrupted. The President requested Congress extend the declaration for

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90 days, that way, Congress can come back in May to re-assess the rapidly evolving global crisis.

In the report from the Department of Finance and Administration, with the \$20 million total budget, donor sources are being identified rapidly. Each of the states utilization of funds is also contained in the report. The President noted that there is currently sufficient funding to cover the activities for preparedness response. Secretary Amor reported that the U.S. representatives in Hawaii are moving more quickly than usual, fast tracking requests. Chuuk has received 2 grants for isolation facilities using maintenance fund, plans have been submitted for approval. Secretary Amor anticipates more will be approved this week.

The Secretary of Health and Social Affairs, Dr. Taulung noted that we are 9 weeks into the emergency declaration. Although things were slow to start, the National Task Force is working with states to speed things up. There are supply and demand issues with materials. Requests for funding are sent through to finance after an initial screening by the Department of Health and Social Affairs. He stressed that time is of the essence, especially for building the isolation and quarantine locations while we are on lockdown.

There was discussion regarding the construction of new private rooms at Pohnpei hospital, it was mentioned that the contract has been awarded, and they are looking at how to modify these to isolation rooms. The National Government is overseeing construction.

It was noted that the biggest challenge is that along with the National Declaration, each of the states are doing their own. It was stressed that the Nation needs to be on the same page. Due to the confusion, the management of United has been instructed to follow the national declaration. Today and tomorrow are the incoming flights and these will be the last flights to allow people to leave. It is anticipated that the 10th & 11th of May will be the next flights for United. There may be a short island hopper at the end of May.

The President announced that the FSM should be receiving test kits within the week and there will be availability for testing in all the four states. He also mentioned that ventilators are on the way to all the FSM states, based on population, noting there will be 13-15 units for Pohnpei. The ventilators are coming from the CDC, WB, and possibly some will come from IOM. The U.S. has donated supplies that will be distributed to the states.

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Although nothing has been received in writing yet, the President indicated he has had communication with the company that is building the convention center and they have indicated that they will build a 50 room isolation center in Pohnpei.

The second item on the President's agenda was the Economic Stimulus Package. There is a program in the works that will allow for an unemployment benefits package from the U.S. He noted that FSM citizens in Hawaii were having an issue with I-94 requirements to apply for unemployment in Hawaii, but this has been resolved. He said the situation is being monitored by the Department of Foreign Affairs and the embassy in Hawaii. The President is prepared to address the issue with the Governor of Hawaii if needed.

The Economic Stimulus Package has been transmitted to Congress. The request is to divert funds from going into the Trust Fund through the end of fiscal year, instead of pulling out funds. This will allow the Trust Fund to rebuild itself after the recent losses, noting, it also takes time to release the funds. The package is looking at stimulating the private sector, the tourism sector especially.

There is an informal estimate of \$7.7 million coming from the U.S. Department of Labor, with the unemployment insurance package to receive \$5 million. Eligibility will be based on who was paying social security and taxes. It was noted that this may present a difficulty for farmers and fishermen, etc. The National Government is analyzing how we help the most citizens. The bill contains language to help roll out all of the programs. There is \$18 million of local resources. \$1M from Congress, \$2M in next year's budget for CIP, which does not laps. Will have more information for the May regular session. The President noted that there is a committee being created to come up with eligibility criteria and they will keep Congress updated.

The President is proposing amendments to Title 54, relating to taxation, allowing temporary authority to the Secretary of Finance and Administration to offer relief from penalties and interest due to the ongoing emergency. There will be a mechanism in place to ensure the program is not abused, it will be monitored closely by Secretary Amor.

The President indicated that the highest priority for the Executive during the special session is the Economic Stimulus Package and the bill amending Title 54.

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The third item on the President's agenda was and update on the field trip vessel. It was noted that Mokil and Pingelap have been recently serviced; now the vessel is on the way to Kosrae. They will service the southern outer islands upon return on the 15th. There are concerns about food supplies to the outer islands when there is a case. The President indicated we will have to cross that bridge when we come to it. It was noted that Chuuk and Yap are also asking for support from the ship. With regards to the recent Orolik emergency evacuation, the Pohnpei governor was going to refuse entry however, the President overrode that decision and they were allowed in. Chairman Perman suggested that we need to expedite service to outer islands in case there is a confirmation of COVID-19 within the Nation. The President feels that based on recent discussions with the governors, there is an agreement that the ship will not be subject to quarantine upon return to Pohnpei.

The final agenda item was the nominations by the President. Chairman Moses indicated the nominations were well received and noted.

The Committee to Wait had some additional topics for discussion. The first topic was regarding FSM citizens (including students), who are stuck in Guam, HNL, and other FSM states and cannot go back to their homes or residential states because of the lock-down. The President indicated that they are unable to give dates that the FSM borders will open up, noting it is a fluid situation. The President has spoken with all of the governors, and he noted that at some point, the President will likely have to override the decisions of the governors to allow citizens to return. Pohnpei has had an issue with their observers on ships and the President overrode the governor and allowed them into quarantine instead of them having to return to the home port of the ship in Japan, etc. There are 12 more observers who will be affected. The President indicated his decision will be made in due course, noting that he needs to work with the states to ensure that they are ready with proper screening, etc. The Executive will continue meeting with governors, and when the President is in agreement regarding readiness, the National Government has the authority to override the states.

It was noted that the cargo ships are coming in, with no human contact. APA is intended to continue export. The Kosrae processing facility is open for frozen tuna. The Presidential Declaration bans bartering or trading with fishing vessels and this will be enforced with penalties. The President asked the National Task Force to make an announcement. The transshipment point is 3-12 miles out. NORMA has met with agents and others in the fishing industry to let them know how they will be monitoring. There are daily updates between NORMA and DOJ. They will

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make changes to locations as needed for safety considerations. Measures are being taken to ensure transshipment in calmer waters. The boats were not prepared to do transshipment in the open seas, however, this allows for avoiding the 14 day quarantine. Chairman Perman asked if there can an exception be made to allow transshipment at the anchorage point and it was noted that they are working on a plan to address with the state to ensure no contact and close supervision by the patrol boats.

Chairman Perman expressed concern that the states should be enforcing restrictions, including self-isolation. He noted that the current guidance is not being followed. He witnessed many Easter gatherings with numerous people. People are still fund raising, still drinking at sakau markets. He suggested that the state governor should be ensuring the restrictions are followed, noting that it is hard to change behavior, they need to start now.

The President shared that he has had discussions with the Department of Justice regarding how they can infringe on citizens Constitutional rights under an emergency declaration. He noted that if the states are not enforcing, the DOJ is reviewing how they can use the Presidential powers to enforce. The President noted that he has a big decision to be made, and he needs to continue to communicate with states. He noted that the people are not complying with guidance and that the information needs to be conveyed to religious organizations, private businesses, sakau markets, as it defeats the purpose if everyone does not follow through. The President's office will keep Congress updated. There is well founded concern that if an asymptomatic case comes, it will be spread quickly. The President agreed that we all need to start changing behaviors now and he shares Chairman Perman's concerns.

Secretary Taulung responded that risk communication is ongoing, they are trying to modify behaviors before a case arrives.

There was a discussion regarding CIA and it was reported that they have requested CIA move their home base to Pohnpei. TC&I is working with the task force so we can mobilize CIA services on emergency basis. There is no date for the relocation as of yet. Pohnpei is requiring the pilots go into quarantine. The President is requesting that we move things along so we can mobilize as quickly as possible. He noted that we cannot require quarantine at every port at every state, there needs to be a more reasonable response. We need to engage all of the states for a unified response. The President is requesting the National Task Force work with the state task forces.

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The next discussion related to the extension of the runway for the Ta airport. Chairman Moses asked if there is something that can be done to expedite the project. The President noted that there have been meetings with the contractor. If the contract is terminated, the contractor will be put on the blacklist. However, it will take years to terminate the contract. If there is not prompt action, the Executive will look at options. TC&I will work on developing a timeline.

The Chinese Ambassador has indicated to Chairman Perman that there are ventilators, and PPE, etc. being donated, that is being held up in Guam. The President noted that there is no impediment on the end of the FSM. There is nothing written to speak to this donation.

The meeting concluded with mutual agreement to move forward on the above issues in a timely and cooperative manner. Your Committee kindly requests the members address any further questions regarding the priority issues for this session to the members of the Committee during the discussion of this report at session.

Respectfully submitted,

/s/ Esmond B. Moses
Esmond B. Moses, chairman

/s/ Ferny S. Perman
Ferny S. Perman, member

Dion G. Neth, member