

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

The Honorable Wesley W. Simina
Speaker, Twenty-Second Congress
Federated States of Micronesia
Fourth Regular Session, 2022

Dear Mr. Speaker:

Your Committee on Health and Social Affairs to which was referred C.B. 22-148, entitled:

"A BILL FOR AN ACT TO AMEND TITLE 50 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA(ANNOTATED), BY CREATING A NEW CHAPTER 3 TO ESTABLISH THE FSM HEALTHY BORDER PROTECTION ACT OF 2022, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

Foremost, the intent and purpose of this bill is to replace the state of emergency declaration with the establishment of a permanent legal regime that will set the COVID-19 vaccination entry requirements for all persons entering the Federated State of Micronesia by regulation. The bill is proposed to take effect after the end of Fiscal Year 2022 on October 1, 2022.

Second, the bill declares the FSM policy on the COVID-19 vaccination entry requirement is necessary to ensure the health, safety, and welfare of the nation. COVID-19 vaccinations for any person entering the Federated States of Micronesia.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

Third, the bill requires the Secretary of Justice to enforce regulations established by the Secretary of Health at all ports of entry on: 1) COVID-19 vaccination and booster requirements; and 2) COVID-19 Health Clearance Declaration requirements. The Secretary of Health will determine the type of COVID-19 vaccine and booster shots acceptable, and any waiting periods required to be considered fully vaccinated prior to entry.

The bill provides for a medical based exemption to the COVID-19 vaccination and booster requirements for entry. The Secretary of Health may add exemptions to the COVID-19 vaccination and booster entry requirements by regulation. Persons who are exempt from the COVID-19 vaccination and booster entry requirements must still comply with the COVID-19 Health Clearance Declaration requirements.

The bill provides that the COVID-19 Health Clearance Declaration must include the following assessment factors: a) exposure to or contact with persons with COVID-19, b) COVID-19 contraction or infection, c) COVID-19 related medical treatment and hospitalization, d) COVID-19 related quarantine, and e) COVID-19 test results. The Secretary of Justice will only permit persons who satisfy the Department of Health Clearance Declaration assessment factor requirements to enter the country. The Secretary of Health by regulation can require persons entering to submit documentation to support or prove their Health Clearance Declaration.

Fourth, the bill authorizes the Secretary of Justice as the enforcement authority because the entry of people at our nation's borders is the Division of Immigration and Labor's jurisdiction. The Secretary of Justice will regulate to enforce the bill, and Secretary of Health regulations developed pursuant to the bill.

Fifth, inter-agency cooperation is required between the Secretary of Justice and Secretary of Health prior to implementation of any department regulations to enforce the bill. The inter-agency coordination mechanism provides the following coordination process between the departments on

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

regulation under the bill: 1) Secretary proposing regulations must give the non-proposing Secretary 30 business days-notice of the proposed regulation in writing with reasons for the proposed regulation; 2) the non-proposing Secretary has 14 business days to respond by written report to Secretary of Justice on the proposed regulation; 3) the proposing Secretary has 7 business days to respond by written report to non-proposing Secretary on whether the Department will adopt the recommendations to the proposed regulation. During the inter-agency coordination process, the proposing Secretary cannot implement the proposed regulations. The bill allows for the implementation of regulations outside of the inter-agency coordination process in times of imminent peril to the public health, safety, or welfare. However, the implementation of any regulation under this emergency provision is only valid for 30 calendar days and cannot be re-implemented as another emergency regulation beyond 60 calendar days in a given fiscal year.

The review criteria for the inter-agency coordination process on proposed regulations are: a) rationale for implementation is based upon sound medical practice; b) feasibility of implementation in the proposed manner, time and place; c) limited health risk to all persons at the port of entry; d) administrative cost for implementation impact on department budget; e) guidelines to aid in effective implementation; and f) current capacity to implement. The bill also requires the Secretary of Justice and Secretary of Health to submit a report to Congress within 90 business days of the implementation of any regulation under this bill.

Sixth, the bill give the Secretary of Justice the authority to issue a \$5,000 fine as a penalty to anyone who uses a fraudulent COVID-19 vaccination and/or booster documents to enter the country. The Secretary of Justice must afford due process and administrative hearing procedures in accordance with Chapter 1 of Title 17 of the Code of the FSM.

On March 16, 2022, the Committee on Health and Social Affairs held a public hearing on: 1) implementation of the January 31, 2020 Public Health Emergency Declaration; and 2) proposed bill C.B. 22-148. See Member Communication No. 22-05. On May 9,

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

2022, May 11, 2022, and May 12, 2022, the Committee on Health and Social Affairs held a committee meeting to discuss C.B. 22-148.

SUMMARY OF MARCH 16, 2022 PUBLIC HEARING TESTIMONY:

H&SA Committee Members present at the public hearing were Chairman Ferny S. Perman, Vice Speaker Esmond B. Moses, Floor Leader Florencio Harper, and Senator Aren B. Palik.

Witnesses present at the public hearing were Department of Finance and Administration Secretary Eugene Amor, Department of Health and Social Affairs Secretary Marcus Samo, Department of Justice Secretary Joses R. Gallen, JCRP Chief Negotiator Leo A. Falcam Jr., NORMA Acting Executive Director Liman and Pohnpei COVID-19 Task Force Chairwoman Norleen Oliver De Orio. Eight witnesses were requested to appear and testify at the hearing but only six witnesses were present at the public hearing.

The Committee Chairman questioned the witnesses on the final decision-making authority for persons selected to enter quarantine and the quarantine entry qualifications. The Chairman asked whether the FSM Task Force is working with each state.

Secretary of Justice testified that the FSM Task Force makes the final decision on who goes into quarantine. Secretary of Justice and Secretary of Health confirmed that the FSM Task Force works with the states including the Pohnpei Task Force on the approved list. The FSM Task Force asks everyone from all states to register for repatriation, each state creates a list that is sent to the FSM Task Force, then a final list is created. From this list, the task force implements the criteria mandated by Congress with state capacity to absorb the number of flight passengers is a consideration. Secretary of Health conceded that the approval of the final list is not perfect.

Pohnpei Task Force Chairwoman testified that the process of producing the approved list is Pohnpei's most challenging issue as the process of negotiation is not easy. Pohnpei submits their own list to the FSM Task Force, but Pohnpei is not at the

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

decision table and the state should make the final decision on the approved list.

The Committee Chairman expressed the need to end the pre-quarantine in Guam because of the stress on the national government budget. The Committee Chairman asked the Secretary of Finance to address the ability of the FSM national government to continue to cover repatriation costs and confirm the financial budget costs.

Secretary of Finance testified that the nation's current policy position of "COVID Free" is more expensive than the country using measures to be COVID safe, focusing on in country quarantine investments. Secretary of Finance reported that about \$200,000 remains from the \$500,000 recently appropriated by Congress for COVID-19 efforts. Secretary of Finance provided that the remaining \$200,000 will be spent by summer and cover costs for two to three repatriation flights. Secretary of Finance reported that national government funds repatriation costs and U.S. COVID-19 CARES Act funding is allocated to the states.

Pohnpei Task Force Chairwoman testified that Pohnpei can manage the costs of state repatriation if foreign grant funding the national government is receiving is allocated to the states. Kosrae is not in a position to cover the costs of state repatriation and requested the Secretary of Finance submit report to Congress on all COVID-19 funding grants, allocation by state, and consolidate updated list of all international funding assistance received with the final funding balance.

The Committee raised concerns on the approved list process for flight repatriation, and the inconsistency between the state's declarations of emergency and COVID-19 requirements. FSM citizens are not receiving correct information and timely responses from the task forces. There is a need to standardized the rules across the country. The Committee provided that the FSM Task Force denial of 50% persons from Pohnpei repatriation list is troubling. There are substantial financial costs from being stranded in Guam waiting for repatriation.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

The Committee emphasized the issue of raised concerns on the final decision-making authority for final approved repatriation lists, conflicts between national and state declarations, and protocol for flight repatriation to states. Floor Leader expressed that he should make the final decision on repatriation list and there should be a separate repatriation flight for each state. Floor Leader discussed how Chuukese in quarantine were forced to remain in quarantine to repatriate with the Pohnpei repatriation flight. Secretary of Health explained the state repatriation protocol and airline carriers' control over the number of flights to each state.

Secretary of Health testified that the Department of Health already does many of the regulation requirements in the bill as many of the bill requirements are included in the current congressional resolution extending the state of emergency. For example, the Department of Health submits a protocol to Congress when there are changes to quarantine requirements.

The Committee on Health and Social Affairs received the following feedback from witnesses on C.B. 22-148 at the March 16, 2022 hearing:

- 1) JCRP Chief Negotiator recommended Congress add state capacity as a criteria factor for inter-agency review of proposed COVID-19 rules under the proposed section 309 of the bill.
- 2) NORMA Executive Director requests that that the transient passenger exception to the COVID-19 vaccination requirement under the proposed section 304(2) of the bill apply to workers who do not disembark fishing vessels anchored at Pohnpei seaports.

SUMMARY OF COMMITTEE ON HEALTH AND SOCIAL AFFAIRS MEETINGS
ON C.B. 22-148:

On May 9, 2022, May 11, 2022 and May 12, 2022 the Committee on Health and Social Affairs convened meetings to discuss C.B. 22-148. The Committee Chairman discussed the purpose and intent of the bill with the Committee. The Committee Chairman asked for

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

the Committee to support C.B. 22-148 and move forward with passing the bill into law.

The Committee Chairman highlighted that the country has been operating under a Declaration of Emergency for over 2 years and the declaration of emergency must come to an end. According to the Department of Health April 17, 2022 FSM COVID-19 Vaccination Report, 98.2% of age group 45+ are fully vaccinated in the FSM, 67.1% of age group 18 to 44 are fully vaccinated in the FSM, 77.1% of age group 18+ are fully vaccinated in the FSM, 53.6% of age group 12 to 17 are fully vaccinated, 37.5% of age group 5 to 11 are fully vaccinated, and approximately 67.7% of age group 5+ are fully vaccinated in the FSM. The discretionary ad-hoc decision making on COVID-19 related requirements is not a viable option for indefinite or long-term use. C.B. 22-148 provides the Department of Health with the framework and authority to establish COVID-19 requirements for entry by regulation.

The Committee raised a question regarding input from the states on the COVID-19 entry requirements, and the role of the national and state COVID-19 taskforces under the bill. The Committee questioned on the practical effect of the national government opening the borders if the state governments maintain stringent requirements on entry like quarantine and other COVID-19 measures. The Committee discussed the need for the state's input on when the national government opens the borders. C.B.22-148 only addresses COVID-19 entry requirements at a national level at the ports of entry. C.B. 22-148 will only directly impact the national task force as when the Declaration of Emergency ends, the national COVID-19 task force will dissipate, and C.B. 22-148 will essentially replace the national COVID-19 task force role with a legal regime implemented by regulation. The states' can maintain their own state task forces as they see fit and the states are free to have their own COVID-19 requirements.

The Committee raised constituent concerns on the selectivity of persons approved for repatriation flights where government employees have entered and exited the FSM multiple time since COVID-19 began but FSM citizens are stranded, some who have been waiting over 8 months to be approved for a repatriation flight to return home and they have no money to support themselves.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

Under C.B. 22-148 persons will be allowed to enter the FSM if they show proof at the airport that they meet the COVID-19 vaccination and booster requirements, and health clearance declaration requirements. C.B. 22-148 will have the effect of getting rid of all these discretionary decisions on who is approved for the repatriation flights list and who is not. There will no longer be the issue of whether the states' proposed repatriation list persons are actually approved to return or not because under the bill all persons who meet the COVID-19 vaccination entry requirements can book a commercial flight and can enter the country. There will be no longer a need for approved flight lists. There will be no more repatriation flights.

Committee Members expressed support for C.B. 22-148 as long as the bill requires the minimum COVID-19 entry requirements implemented by neighboring Pacific Island countries, including COVID-19 vaccination and health insurance requirements for entry. Under section 309 of C.B. 22-148, the Department of Health may add additional requirements by regulation, including a requirement that foreign passengers are required to have health insurance coverage for COVID-19.

The Committee acknowledged that with the Declaration of Emergency expiring on May 31, 2022, the Committee has to act. While the bill does not have to take effect right away, the Department of Health must tell Congress when they will be able to implement regulations or a transition period. The Committee agreed that Congress cannot just continue to extend the Declaration of Emergency indefinitely. At the March 16, 2022, H&SA Committee hearing, the Secretary of Health informed Congress that they would provide Congress with a COVID-19 public health assessment findings report by the end of March 2022. The Secretary of Health also committed to providing Congress with a phased strategy to re-opening the country's borders. As of the date of this Committee Report, two (2) months since the hearing, the Secretary of Health has failed to provide Congress with the COVID-19 assessment findings and the phased exit strategy to re-opening our country's borders.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

The Committee raised the point that there is no more funding to support the continued pre-quarantine in Guam and many countries including Guam have begun to fully open up with no more mask mandate. The Committee was informed that the Department of Health will be ready to transition from the Declaration of Emergency to regulation by August 1, 2022.

The Committee raised concern on the timing of opening the borders under C.B. 22-148 and the need to make sure that the Department of Health has enough time to develop and implement regulations. The Committee expressed that Congress must ensure the Department of Health and the population are ready for the opening of the country's borders and the FSM must decide to open on its own terms not in reaction to other countries COVID-19 policies, including Guam fully opening and no longer requiring masks at the airports. The Committee proposed putting deadlines for regulations to be developed and implemented in the bill as an option to address concerns on feasibility of Department of Health being able to implement regulations by August 1, 2022.

The Committee also asked whether Congress can make the bill effective upon the states reaching certain COVID-19 vaccination rate and sought more information on current COVID-19 vaccination rates in the states.

The Committee acknowledged that there is some international COVID-19 grant funding that may be in jeopardy if the declaration of emergency ends prior to end of the current fiscal year. The Department of Health will have more time to use the remaining balance on international COVID-19 grant funding and develop the necessary regulations to implement the bill if the bill takes effect on October 1, 2022.

CONCLUSION

The Committee on Health and Social Affairs has reviewed C.B. 22-148 and considered all testimony from the March 16, 2022 Public Hearing and feedback received from the Department of Health, Department of Justice, National COVID-19 Taskforce and state stakeholders.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

The Committee on Health and Social Affairs supports the ending of the pre-quarantine requirements in Guam and the establishment of COVID-19 vaccination entry requirements by law. The Committee's still have some concerns on the ability of the Department of Health to have the regulations and internal procedures in place, to support a seamless transition from the state of emergency to the bill implementation. However, based on consideration of above, the Committee's support of C.B. 22-148 should encourage the President to take swift action to finalize a transition exit strategy from the Declaration of Emergency for the country and necessary regulations in place to commence fully re-opening our country's borders.

Your Committee would like to offer the following amendments to C.B. 22-148 to read as follows:

- 1) Title, line 3, after "2022" add to require all persons entering the country to be fully vaccinated, require the establishment of COVID-19 entry requirements by regulation, impose penalties where fraudulent COVID-19 vaccination documents are used to enter the country".
- 2) Section 3, Page 1, line 14, delete "mandatory vaccinations" insert "the COVID-19 vaccination entry requirement"
- 3) Section 5, Page 2, line 21, before "Vaccine" insert "COVID-19"
- 4) Section 5, Page 2, line 22, before "vaccine" insert "COVID-19"
- 5) Section 5, Page 3, line 3, before "vaccine" insert "COVID-19"
- 6) Section 5, Page 3, line 4, delete "an" and insert "a"
- 7) Section 6, Page 3, line 8, before "requirements" insert "and Booster"
- 8) Section 6, Page 3, line 10, delete "(1)"

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

- 9) Section 6, Page 3, lines 12-13, delete ", including variants Delta, Omicron, and other designated variants."
- 10) Section 6, Page 3, lines 14-17, delete "determine the number and type of shots, including boosters, needed to be considered fully vaccinated against COVID-19 novel coronavirus (SARS-CoV-2), and the designated variants" and insert "enforce all COVID-19 vaccination and booster requirements, established through regulation by the Secretary of Health pursuant to his authority under Title 41 of the Code of the FSM, at all ports of entry, including but not limited to: (a) Type of COVID-19 vaccine and booster shots acceptable for entry into the FSM; and"
- 11) Section 6, Page 3, lines 18-20, delete "The Secretary of Justice, in coordination with the Secretary of Health, is authorized to establish: (a)" and insert "(b)"
- 12) Section 6, Page 3, line 20, delete "for receiving multiple" and insert "after receiving the"
- 13) Section 6, Page 3, line 21, before "and" insert "vaccine"
- 14) Section 6, Page 3, line 22, before "prior" insert "to be considered fully vaccinated"
- 15) Section 6, Page 3, line 23, delete "(b) Quarantine requirements prior to an upon entry to the FSM." And insert (2) The Secretary of Justice shall only permit the entry of persons into the country who are fully vaccinated against COVID-19 in accordance with section 305 and section 307, unless the person is exempt under section 306 of this Chapter."
- 16) Section 7, Page 4, line 4, after "requirements" insert "for Entry"
- 17) Section 7, Page 4, lines 5-6, delete "Persons with a disability or medical condition that qualifies for a medical exception and who provides" and insert "Any person

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

seeking exemption from the COVID-19 vaccination and/or booster requirements under section 305 must provide a signed and"

- 18) Section 7, Page 4, like 7, before "certified" delete "a"
- 19) Section 7, Page 4, lines 11-12, delete "are exempt from the COVID-19 vaccination requirement under section 306 of this chapter"
- 20) Section 7, Page 4, line 16, after "(3)" insert "Any person exempt under section 306 must still comply with the COVID-19 Health Clearance Declaration requirements under section 307 of this Chapter. (4)"
- 21) Section 7, Page 4, lines 13-15, delete "The Secretary of Justice, or his designee, may by regulation provide further exemptions based upon sound medical practice' and insert "The Secretary of Justice will enforce all exemptions to the COVID-19 Vaccination and Booster Requirements, established through regulation by the Secretary of Health based on sound medical practice pursuant to his authority under Title 41 of the Code of the FSM, at all ports of entry."
- 22) Section 7, Page 4, lines 16-20, delete lines 16-20
- 23) Section 8, Page 4, line 25, delete line 25
- 24) Section 8, Page 5, lines 1-19, delete lines 1-19 and insert "(1) The Secretary of Justice, or his designee, shall enforce the COVID-19 Health Clearance Declaration requirements, as established through regulation by the Secretary of Health pursuant to his authority under Title 41 of the Code of the FSM, at all ports of entry. The COVID-19 Health Clearance Declaration assessment factors at a minimum shall include:
 - (a) COVID-19 exposure or contact with persons with

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

COVID-19;

(b) COVID-19 contraction or infection;

(c) COVID-19 medical treatment and hospitalization received;

(d) COVID-19 related quarantine; and

(e) COVID-19 testing results.

(2)The Secretary of Justice shall only permit a person to enter the country at a port of entry, who satisfies the Health Clearance Declaration assessment factor requirements and documentation requirements in support of the Health Clearance Declaration as established through regulation by the Secretary of Health pursuant to his authority under Title 41 of the Code of the FSM."

25) Section 9, Page 6, line 1, delete "implement the" and insert "enforce the COVID-19"

26) Section 10, Page 6, line 9, after "Coordination" insert "on COVID-19 Entry"

27) Section 10, Page 6, line 10, delete "Justice" and insert "the Department proposing a regulation"

28) Section 10, Page 6, line 11, after "give" delete "the Secretary of Health 30 days' notice" and insert "30 business days' notice to the Department not proposing the regulation"

29) Section 10, Page 6, line 12, delete "the Secretary of Justice plans or intends to implement under this Chapter" and insert "to implement this Act"

30) Section 10, Page 6, lines 21-25, delete lines 21-25

31) Section 10, Page 7, lines 1-16, delete lines 1-16

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

- 32) Section 10, Page 7, line 17, delete "(3)" and insert "(2)"
- 33) Section 10, Page 8, line 9, delete "(4)" and insert "(3)"
- 34) Section 10, Page 8, line 16, delete "(5)" and insert "(4)"
- 35) Section 10, Page 7, line 2, delete "Secretary of Health"
- 36) Section 10, Page 7, line 6, delete "Justice" and insert "the Department proposing the regulation"
- 37) Section 10, Page 7, line 7, delete "Secretary of Health"
- 38) Section 10, Page 7, line 7, after "report" insert "from the Department not proposing the regulation"
- 39) Section 10, Page 7, line 7, before "days" insert "business"
- 40) Section 10, Page 7, line 8, delete "Secretary of Health"
- 41) Section 10, Page 7, line 9, delete "Justice" and insert "of the Department proposing the regulation"
- 42) Section 10, Page 7, line 10, delete "Secretary of Health"
- 43) Section 10, Page 7, lines 11-12, delete "to consult with the Secretary of Health until an inter-agency" and insert "inter-agency coordination until"
- 44) Section 10, Page 7, line 14, after "Justice" insert "and the Secretary of Health"

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

- 45) Section 10, Page 7, line 16, delete "process"
- 46) Section 10, Page 7, lines 17-18, delete ", or his designee," and insert "and the Secretary of Justice"
- 47) Section 10, Page 7, line 18, before "review" insert "interagency coordination and"
- 48) Section 10, Page 7, lines 19-20, delete "submitted by the Secretary of Justice, or his designee,"
- 49) Section 10, Page 8, line 6, delete "and"
- 50) Section 10, Page 8, line 8, after "." insert "; and (f) current capacity to implement."
- 51) Section 10, Page 8, line 9, before "days" insert "business"
- 52) Section 10, Page 8, line 11, before "shall" delete "Justice" and insert "Health"
- 53) Section 10, Page 8, line 20, before "days" insert "business"
- 54) Section 10, Page 8, line 25, delete "days, but" insert "calendar days and shall not be implemented in any form beyond 60 calendar days per fiscal year, except for"
- 55) Section 11, Page 9, line 2, delete "This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval." and insert "Chapter 3 of title 50 of the Code of Federated States of Micronesia (Annotated), is hereby amended by inserting a new section 310 to read as follows:

"Section 310. Administrative Penalty.

The Secretary of Justice shall have the authority to issue a \$5,000 fine to any person found to have used fraudulent COVID-19 vaccination and/or booster documentation to enter the country at any port of entry.

STANDING COMMITTEE REPORT NO. 22-32

RE: H&SA/C.B. No. 22-148

SUBJECT: HEALTHY BORDER PROTECTION ACT OF 2022

MAY 19, 2022

Any person issued a fine under section 310 shall have the right to request an administrative hearing and afforded due process under Chapter 1 of Title 17 of the Code of the FSM."

56) Insert a new Section 12, Page 9, "This act shall take effect on October 1, 2022."

57) Insert a new Section 13, Page 9, "This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval."

Your Committee on Health and Social Affairs is in accord with the intent and purpose of C.B. 22-148 and recommends its passage on First Reading and that it be placed on the Calendar for Second and Final Reading in the form attached hereto, as C.B. No. 22-148, C.D.1.

Respectfully submitted,

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

/s/ Tiwiter Aritos
Tiwiter Aritos, vice chairman

/s/ Florencio S. Harper
Florencio Harper, member

/s/ Perpetua S. Konman
Perpetua S. Konman, member

/s/ Esmond B. Moses
Esmond B. Moses, member

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

Joseph J. Urusemal, member