

A RESOLUTION

Extending the Presidential Emergency Declaration, and the State of Emergency established thereby, that was declared by the President of the Federated States of Micronesia on December 29, 2008 to respond to a disaster situation caused by tidal surges for an additional period of 15 days, and directing the President not to extend emergency food assistance beyond January 28, 2009.

1 WHEREAS, in December 2008 all four states of the Federated
2 States of Micronesia were affected by disasters resulting from
3 tidal surges, causing all governors to declare states of
4 emergency; and

5 WHEREAS, on December 29, 2008, in response to the Governors'
6 declarations, the President issued a "Presidential Emergency
7 Declaration" under section 9, Article X of the FSM Constitution,
8 41 FSMC Sec. 705 et seq., and 55 FSMC Sec. 610 et seq. whereby
9 "the resources of the National Government are committed to
10 supplement the available resources and action plan of the Four
11 States." Declaration page 1, last paragraph; and

12 WHEREAS, with the powers granted by the Declaration the
13 President has sent emergency food assistance to numerous outer
14 islands; and

15 WHEREAS, the immediate food assistance needs for the
16 emergency have abated, with the remaining tasks being long-term
17 mitigation, including replanting and restoration of the crop
18 system; and

1 WHEREAS, such long-term activities are best dealt with in the
2 framework of normal congressional appropriations and not through
3 emergency powers; and

4 WHEREAS, government operations including emergency operations
5 should be transparent; now, therefore

6 BE IT RESOLVED by the Fifteenth Congress of the Federated
7 States of Micronesia, Sixth Regular Session, 2009, that the
8 Presidential Emergency Declaration of December 29, 2008, and the
9 State of Emergency established thereby, are hereby extended for a
10 period of 15 days so as to terminate on February 12, 2009; and

11 BE IT FURTHER RESOLVED that the President is directed not to
12 engage in additional expenditures related to emergency food
13 assistance beyond January 28, 2009, and to concentrate instead on
14 mitigation efforts that would continue after the termination of
15 the State of Emergency; and

16 BE IT FURTHER RESOLVED that the Congress exhorts the
17 President to fully involve the four States of the Federated
18 States of Micronesia and coordinate with them in the disaster
19 relief efforts; and

20 BE IT FURTHER RESOLVED that certified copies of this
21 resolution be transmitted to the President of the Federated
22 States of Micronesia and the Secretary of Justice.

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24 Date: 1/28/09

Introduced by: /s/ Isaac V. Figir
Joe N. Suka

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