



Decree Setting the National Standards on Social Distancing Measures during the COVID-19 Pandemic National Public Health Emergency

WHEREAS, on May 30, 2020, the 21st Congress of the Federated States of Micronesia adopted Congressional Resolution No. 21-149, which amended further the President's Public Health Emergency Declaration dated January 31, 2020, as amended on February 7, 2020, and further amended on March 11, 2020, and April 17, 2020; and

WHEREAS, the aforesaid Congressional Resolution urged the President to coordinate and consult with the State Governors and their task forces, with a view towards setting a national standard of social distancing measures; and

WHEREAS, on the basis of prior consultations with the State Governors and their task forces, a nationwide social distancing guideline was developed and incorporated in this decree for immediate implementation.

NOW THEREFORE, I, David W. Panuelo, President of the Federated States of Micronesia, pursuant to the authority vested upon me by Article X Section 9(a) of the FSM Constitution, Title 11 Chapter 7 of the FSM Code, and Title 11 Chapter 8 of the FSM Code, and for the sake of protecting the public health and maintaining safety of our citizens and residents throughout the nation, do hereby DECREE as follows:

MEASURES MANDATING SOCIAL DISTANCING FOR THE FEDERATED STATES OF MICRONESIA:

1. As a general principle, non-pharmaceutical interventions, such as Social Distancing Measures, shall be based upon risk assessment and capacity assessment. Decisions regarding placing, lifting and reintroduction of these measures will be based upon the risk and capacity assessments.
2. Social Distancing is an essential step in preventing the spread of COVID-19. Social Distancing is reducing the physical interaction between people, and it lowers the chances of spreading illness between people.
3. Every person is strongly encouraged to practice Social Distancing at all times in public, by maintaining a space of at least 6 feet between persons. It is especially important to observe Social Distancing during the COVID-19 Pandemic in order to protect vulnerable populations, including in particular, older adults and people who have serious underlying medical conditions.



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4. Individual FSM States may require stricter social distancing guidelines and procedures. Such guidelines shall be respected within the State. Until completely prohibited pursuant to paragraph 7 of this Decree, gatherings, such as marriages, funerals and other inherent cultural practices, may be permitted under State regulation and advisories.
5. Virtual and distanced meetings are encouraged. Employees with underlying medical conditions and/or 60 years old and older—or individuals with children under 5 years old—are encouraged to work from home.
6. Until a lockdown is enforced under paragraph 7(h), State authorities will continue to provide guidance and regulation with respect to essential services, including the burial of human remains within the State jurisdiction. Schedules and plans shall be coordinated and consulted with national emergency task force for enforcement and safety reasons to ensure safety of family and attendees by minimizing the risks of exposure and transmission of any disease or illness. The National Law Enforcement and Police authorities shall monitor the enforcement of state regulation, and provide immediate assistance to regain control should the state regulation fail.

IF CONFIRMED CASE OF COVID-19 REACHES FSM

7. In the event that COVID-19 case is confirmed in the FSM or any of its states or islands, the following **COMPULSORY MEASURES** are automatically in effect in the affected state and/or island:
 - (a) Everyone must stay at home unless it is essential for a person to leave the house for legitimate reasons that are permitted in this decree. If possible, limit to individuals that are NOT at higher risk for severe illness the task of gathering and shopping for food supplies and essentials for the home. Movements and trips should be limited to procure or obtain necessities such as groceries, utilities, essential hardware products, and health services. Avoid non-essential trips.
 - (b) Everyone must wear facemasks when in public places.
 - (c) Everyone must observe physical distancing (6 feet) between individuals in all public settings.



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- (d) Individuals who are sick or who have flu-like symptoms must stay at home. If they must go to the hospital, they are required to wear facemasks.
- (e) Large meetings and gatherings (including business meetings and workplaces) are limited to no more than 20 people, as said gatherings undermine the intent behind physical distancing. The physical distancing mandate of six feet distance shall be enforced. Health workers and Law Enforcement officials and related services (e.g. Customs, Immigration, and Quarantine) are exempt from the large gathering requirement while carrying out official duties related to COVID-19 response and mitigation activities. The National and State COVID-19 Task Forces, with endorsement of their appropriate leadership, shall ensure that Government functions deemed necessary for continued day-to-day operations remain unimpeded.
- (f) All non-essential services and activities are immediately suspended. Examples include: organized sports activities, beauty parlors, barbershops, and bars and nightclubs. In addition to those recommended non-essential services as provided in the FSM COVID-19 Guidelines, State Government Emergency Declaration or Decree, in consultation with the FSM National Government, may designate additional activities and services considered as non-essential.
- (g) Taxi services shall be restricted by limiting the number of hours of operation and by reducing the passenger capacity. The National Task Force shall establish the details of the restrictions.
- (h) A "lockdown" shall be enforced on an island or a state of the FSM that has a confirmed case of COVID-19. During a lockdown, movement (entry and exit) of people will not be permitted with respect to such island or state, with the exception of "essential workers" (in particular, Food delivery workers, Health workers, and Law Enforcement assets and personnel) who are permitted to continue their activities and services. FSM Field Trip Vessels and domestic air services are permitted to continue resupply and logistics operations throughout the Nation, but are limited to crew



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only (i.e. no passengers). Exceptions to this mandate may be considered for those needing emergency medical services and/or participation in an emergency evacuation, and inbound humanitarian/emergency assistance.

8. Cargo vessel and fishing vessels continue to operate and be governed by the Emergency Declaration, as amended by congressional resolution.

PENALTIES AND CRIMINAL CITATIONS

9. Any person who, during a state of emergency, violates this Social Distancing Measure under this Decree, inclusive of the State-mandated social distancing guidelines issued pursuant to this Decree, or fails to comply with any emergency restrictions decreed by the President may be convicted of a national offense under Title 11 of the FSM Code, Section 803, with a penalty of not more than five years of imprisonment and/or up to five thousand dollars in fines. The Secretary of Justice and his deputized agents are authorized to issue criminal citation for violation of this decree.
10. Pursuant to this Decree, the Joint Law Enforcement Agreements with the States are hereby invoked. The Secretary of Justice is mandated to work with the state law enforcement authorities to require the cooperation of the State Police in the respective territorial jurisdiction in order to effectively and jointly enforce the terms of this Decree in accordance with the Joint Law Enforcement Agreements.
11. The Secretary of Justice is ordered to take measures under law to ensure the enforcement of this Decree.

SO ORDERED.

David W. Panuelo
President

Date:

8/25/20